

Assistant Deputy Commandant, Installations and Logistics
(Contracts)
Headquarters, U.S. Marine Corps
Washington, DC 20380-1775



MARINE CORPS

AQUISITION

PROCEDURES

SUPPLEMENT

Revised 6 April 2005

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SUBPART 1.1—PURPOSE, AUTHORITY, ISSUANCE

1.103 (NMCARS) Authority

The Marine Corps Acquisition Procedures Supplement (MAPS) is prepared, issued, and maintained per the authority of Navy Marine Corps Acquisition Regulation Supplement (NMCARS) 5201.103 and Defense Federal Acquisition Regulation Supplement (DFARS) 201.304 and applies to all United States Marine Corps organizations receiving contracting authority from the Deputy Commandant, Installations and Logistics, Headquarters, U.S. Marine Corps (DC, I&L).

1.108 (NMCARS) FAR conventions

Within this supplement, any authorities assigned or delegated to a specific level may be delegated or redelegated, unless otherwise restricted.

SUBPART 1.3—AGENCY ACQUISITION REGULATIONS

1.301 (NMCARS) Policy

(a) The MAPS establishes uniform internal Marine Corps policies and procedures for those activities receiving contracting authority from DC, I&L, and provides general guidance to Contracting Officers in the execution of their delegated authority.

(b) The MAPS implements or supplements the Federal Acquisition Regulation (FAR), the DFARS, the NMCARS, and the Navy Marine Corps Acquisition Guide (NMCAG). It is not a stand-alone document, but must be read together with the FAR, DFARS, NMCARS, and NMCAG.

(c) To the extent possible, the MAPS coverage parallels the FAR in format, arrangement, and numbering system. However, subdivisions below the section and subsection levels may not always correlate directly to the FAR-designated paragraphs and subparagraphs. A DFARS or NMCARS cite in parentheses immediately after the MAPS cite means related coverage is contained in the DFARS or NMCARS (e.g., 1.104 (NMCARS)). Numbered divisions in this supplement with a suffix in the “100” series (e.g., 1.105-2-100) contain subject matter related to but not contained in a FAR, DFARS, or NMCARS numbered division. Omission from the MAPS of a subpart, section, or subsection that appears in the FAR, DFARS, or NMCARS denotes that there is no additional coverage in the MAPS.

(d) The MAPS and other procurement policy and guidance are available electronically via the Knowledge for Acquisition in the 21st Century (“K-21”) website at <https://k21.hqmc.usmc.mil>. Hard copies may only be obtained by downloading the MAPS since individual hard copy distribution will not be made. Updates to the MAPS will be posted to the K-21 website. Each update will include an effective date. An announcement of the update and summary of changes will be issued through a policy memorandum posted to K-21’s Policy Section.

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(e) The MAPS is maintained by the Headquarters, Marine Corps (HQMC) Electronic Business and Contracts Division (LB). Proposed changes to the MAPS, along with rationale for the changes, should be submitted through the local Chief of the Contracting Office (CCO) and the local Counsel's office to LB.

1.304 Agency control and compliance procedures

1.304-100 (NMCARS) Control of HQMC baseline clauses

Only DC, I&L approved provisions and clauses shall be used in solicitations and contracts. No other provisions or clauses, other than those prescribed by the FAR, DFARS, NMCARS, NMCAG, or MAPS, may be used without obtaining approval from the Assistant Deputy Commandant, Installations and Logistics (Contracts).

SUBPART 1.6—CAREER DEVELOPMENT, CONTRACTING AUTHORITY, AND RESPONSIBILITIES

1.601 (NMCARS) General

(a) HQMC contracting authority originates from the Assistant Secretary of the Navy (Research, Development and Acquisition) (ASN (RD&A)) and is delegated to the DC, I&L at HQMC. With the exception of those actions reserved specifically for Head of the Contracting Activity (HCA) approval, the DC, I&L has delegated full authority to the ADC, I&L (Contracts). Any or all authority may be redelegated to a CCO unless restricted by a provision contained in the MAPS or higher order regulation.

(b) LB and CCOs will oversee and monitor the contractual procedures, performance, and staffing of field-level contracting offices under their cognizance. Procedures and controls necessary for effective oversight should be established and maintained.

(c) CCOs may designate the deputy CCO to act on their behalf and make any necessary determinations or take any actions that are reserved for the CCO, unless otherwise restricted by a provision contained in the MAPS.

1.601-90 (NMCARS) Department of the Navy authorities and responsibilities

(a) Per FAR 1.601(a) and DFARS 202.101, the Secretary of the Navy, as Agency Head, established Contracting Activities and delegated broad authority to manage the agency's contracting functions to the heads of such contracting activities (HCAs). DC, I&L is the HCA for the Installations and Logistics, Headquarters, U.S. Marine Corps Contracting Activity defined in DFARS 202.101. DC, I&L has delegated general contracting authority to ADC, I&L (Contracts) with the authority to redelegate such authority and appoint Contracting Officers within the Marine Corps Field Contracting System (MCFCS) and Marine Corps Logistics Command (MCLC). ADC, I&L (Contracts) delegates certain authorities as specified in the MAPS. MAPS [Appendix A](#) identifies Regional Contracting Offices (RCOs) and other contracting offices authorized to perform delegated contracting functions for the Marine Corps and identifies any limitations. Only the contracting offices listed in [Appendix A](#) and who have personnel with Contracting Officer appointments made by ADC, I&L (Contracts) (or by CCOs at the RCOs per MAPS 1.603-1) may execute these delegated contracting functions. This general contracting

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authority includes authority to enter into, execute, and approve contracts. Specific authorities delegated are as noted in the MAPS and may be exercised to the extent authorized by individual Contracting Officer appointments.

(b) When it is unclear which agency is responsible for a requirement, the matter should be resolved at the local level if at all possible. Local decisions should be focused on satisfying customer requirements in the most efficient and economical means possible.

(c) MCFCS and MCLC structures and areas of responsibility (AORs) are identified in MAPS [Appendix A](#).

1.602 Contracting Officers

1.602-1 (NMCARS) Authority

1.602-1-100 Legal review

(a) The Office of Counsel for the Commandant (CL) and its field offices are component offices of the Navy Office of General Counsel and provide legal support and assistance to Marine Corps contracting activities worldwide. All contracting personnel are strongly encouraged to consult with CL field Counsel on all questions of a legal or policy nature on any subject that is of a concern. It is emphasized that CL is an integral part of our business management team and consultation with CL is strongly encouraged; however, the Contracting Officer is ultimately responsible for all contracting decisions.

(b) In addition to legal counsel review or consultation requirements contained within other provisions of the FAR, DFARS, NMCARS, NMCAG, this supplement, or other binding authority, contracting personnel must obtain legal review, or consultation as appropriate, for the following:

(1) Solicitations estimated to be in excess of the simplified acquisition threshold and all amendments (except those that are administrative in nature) to such solicitations;

(2) Proposed contracts in excess of the simplified acquisition threshold;

(3) Performance work statements (PWS) for performance-based service acquisitions (PBSA) in excess of the simplified acquisition threshold;

(4) Task orders (TOs), in excess of the simplified acquisition threshold, placed against service contracts;

(5) Acquisition plans/acquisition strategies for solicitations/contracts that involve the use of a “best value”/tradeoff analysis in the source selection process;

(6) Source selection plans and evaluation criteria that involve the use of a “best value”/tradeoff analysis;

(7) Justification and approvals (J&As) for other than full and open competition;

(8) All determination and findings (D&Fs);

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(9) Proposed deviations from FAR, DFARS, NMCARS, or other applicable regulations or directives including waiver requests;

(10) Basic ordering agreements (BOAs) and blanket purchase agreements (BPAs) and orders under BOAs/BPAs in excess of the simplified acquisition threshold;

(11) Matters relating to late bids/offers;

(12) Matters relating to mistakes in bids/offers;

(13) Proposed rejections of bids/offers;

(14) Protests (prior to and after contract award);

(15) Contract modifications affecting price or estimated cost, delivery schedules, specifications, performance obligations, Government-furnished property, inspection and acceptance, special provisions, and any other material change to the terms and conditions of the contract;

(16) Questions relating to contract interpretation;

(17) Termination actions;

(18) Contract claims, disputes, and appeals;

(19) Requests for extraordinary contractual relief under the provisions of Public Law 85-804 (FAR Part 50);

(20) Leases, bailments, grants, cooperative research and development agreements, "other transactions," software licenses, and Office of Management and Budget (OMB) Circular A-76 functional conversions (regardless of dollar value);

(21) Congressional inquiries;

(22) Freedom of Information Act (FOIA) responses involving denials (in whole or partial); releases when some or all of the information is disputed by a party; and any other questionable or controversial FOIA issues;

(23) Questionable or controversial determinations of nonpersonal services (FAR Part 37);

(24) Ratifications of unauthorized commitment requests;

(25) Matters relating to organizational and consultant conflicts of interest (FAR Subpart 9.5); and

(26) Matters relating to patents, rights in data, and copyrights (FAR Part 27).

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(c) Where a requirement exists for review by Counsel, such reviews must be accomplished by appropriate CL field Counsel. In the event that CL field Counsel is not available, contracting personnel may contact the Associate Counsel for the Commandant (Procurement and Fiscal Law), CL for assistance.

(d) Contracting personnel should consider submitting to CL field Counsel for review/comment the following documents when, in the discretion of contracting personnel, legal review is necessary:

- (1) Solicitations/contracts not exceeding the simplified acquisition threshold;
- (2) Delivery orders (DOs) for supplies against indefinite delivery type contracts or against Federal Supply Schedule contracts;
- (3) PWS for PBSAs at or below the simplified acquisition threshold;
- (4) TOs, at or below the simplified acquisition threshold, placed against service contracts;
- (5) Full release of information requested under FOIA except as described in 1.602-1-100 (22) above;
- (6) Administrative amendments and modifications to solicitations/contracts/DOs/TOs; and
- (7) Business clearance memoranda.

(e) All matters submitted to CL field Counsel for the purpose of obtaining concurrence, advice, or assistance should, to the maximum extent practicable, include the following to enhance the processing of the matter:

- (1) A route sheet indicating that supervisory contracting personnel responsible for the matter have reviewed the material and concur with the proposed course of action;
- (2) A brief description of the matter to be reviewed with a specific discussion of each key element in the request. If the document being reviewed is a solicitation, amendment, contract, or modification, identify any provisions that are not found in FAR, DFARS, NMCARS, or NMCAG, e.g., nonstandard clauses, terms or conditions, as well as the applicable LB approval of such provisions;
- (3) A proposed document (e.g., solicitation, amendment, contract, modification, J&A, D&F, or letter) which, if determined to be acceptable, would constitute completion of the matter;
- (4) Other supporting documentation, indexed for easy reference, necessary to understand the proposed action without having to look elsewhere for pertinent factual information. When proposed solicitation amendments and contract modifications are submitted for review, the solicitation/contract and prior amendments/modifications should be provided to CL field Counsel; and

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(5) Use of e-mail is an authorized means of communicating with Counsel.

(f) Upon completion of review by CL field Counsel, ensure that Counsel's comments/concurrence are made a part of the permanent contract file.

1.602-1-101 Functional independence and organizational placement of Contracting Officers

(a) To retain a degree of independence that allows unbiased advice based on the principles of sound business, the Office of the Secretary of Defense (OSD) established a formal policy that Contracting Officers' evaluations will be performed within their own career program channels. The only exception will be the performance evaluation of the senior contracting official in the organization, such as the head of the contracting office or CCO (Reference: Under Secretary of Defense (USD) (Acquisition) memorandum of 2 June 1993; reissued on 23 November 2004).

(b) ASN (RD&A) fully supported the OSD policy, indicating that our Contracting Officers can only fulfill their responsibilities for safeguarding the interests of the United States in its contractual relationships by functioning independently without improper influence on business decisions. Further, ASN (RD&A) indicated that the CCO, whether military or civilian, normally will be evaluated by the commander/commanding officer (Reference: ASN (RD&A) memorandum of 17 June 1993).

(c) Marine Corps commanding generals/commanding officers (CGs/COs) will be asked to implement these policies.

1.602-2 (DFARS) Authorized representatives of the Contracting Officer

The following individuals may be designated to assist Contracting Officers in the technical monitoring or administration of a contract:

(a) Contracting Officer's Representative (COR).

(1) **Designation.** The Contracting Officer may designate a COR when the contract requires monitoring and surveillance efforts beyond what the Contracting Officer is reasonably able to provide. The COR provides technical direction/clarification and guidance with respect to the contract specifications or statements of work.

(2) **Appointment.** The Contracting Officer must formally designate individuals as CORs by appointment letter. Appointments will define the scope and limitations of the COR's authority. Unless the appointment contains other provisions for automatic termination, the appointment must be effective, unless sooner revoked, until the COR is reassigned or the individual's employment is terminated. Revocation of a COR appointment may be effected at any time by the appointment authority, or higher authority, or any successor to either. Revocation must be made in writing.

(3) **Qualifications/training.** The COR's contract administration duties can be simple or complex and time-consuming, depending on the type of contract, contractor performance, and the nature of the work. COR designees must have the requisite technical experience to provide the technical expertise necessary for performance of the COR function. Prior to appointment of

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a COR, the Contracting Officer should take into consideration the ability, training, and experience of COR designees and must assure that designees are appropriately qualified to act as authorized representatives of the Contracting Officer. At a minimum, COR designees should have completed a basic COR course and ethics training.

(4) **Authority.** CORs are responsible to the Contracting Officer for those actions delegated by the Contracting Officer as specifically addressed in the letter of appointment. In the performance of COR duties, the COR does not have the authority to take any action, either directly or indirectly, that could change the price/cost or fee, quantity, quality, scope, delivery schedule, labor mix, or other terms and conditions of the contract and/or task order. Only the Contracting Officer has the authority to make such changes. Any authority delegated to a COR is not redelegable.

(5) **Evaluation and documentation.** Supplementing the normal monitoring of the COR by the Contracting Officer, the Contracting Officer must maintain an activity file on each COR as a part of the contract file. The purpose of this file is to record and maintain the results of reviews conducted annually by the Contracting Officer of the COR's contract-related activities. The Contracting Officer must annually evaluate and document the performance of the COR and provide a copy of this evaluation to the COR's organizational head. If the contract performance period is less than one year, this evaluation must be conducted prior to contract closeout.

(b) Ordering Officer.

(1) **Designation.** The Contracting Officer may designate individuals, either from within or outside of the contracting organization, as ordering officers, with the authority to execute task/delivery orders thereby obligating funds under an indefinite delivery type contract (IDTC). An ordering officer may be appointed for valid purposes provided the Contracting Officer determines appointment is essential for the efficient operation of the contracting mission. Strict operational control over ordering officers is necessary to preclude violations of law and regulations. Care must be exercised in determining how many ordering officers are necessary yet controllable.

(2) **Appointment.** Contracting Officers must formally appoint individuals as ordering officers by appointment letter. The activity to which the ordering officer is assigned need not have its own contracting authority. The appointment letter must specify the extent and limitations of the ordering officer's authority to act on behalf of the Contracting Officer. Unless the appointment contains other provisions for automatic termination, the appointment must be effective, unless sooner revoked, until the ordering officer is reassigned or the individual's employment is terminated. Revocation of an ordering officer appointment may be effected at any time by the appointment authority, or higher authority, or any successor to either. Revocation must be made in writing.

(3) **Qualifications/training.** Because IDTCs vary in dollar value and complexity, the qualifications, skills, and training needed by ordering officers may also vary. The appointment and training of ordering officers requires consideration of the type of ordering to be performed.

(4) **Authority/responsibilities.** The authority of an ordering officer is limited to placement of task/delivery orders for pre-priced contract line items under an IDTC. Ordering officers do not have the authority to modify the basic contract or task/delivery orders.

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Task/delivery orders requiring negotiation of level of effort or scope may only be executed by a warranted contracting official. Oral orders may be used only when specifically authorized. Such orders may not exceed \$10,000 and must be confirmed by issuance of a written task/delivery order within five calendar days. The contract must identify the individual(s) who have the authority to issue oral orders. Any authority delegated to an ordering officer is not redelegable.

(5) **Evaluation and documentation.** Supplementing the normal monitoring of the ordering officer, the Contracting Officer must maintain an activity file on each ordering officer as part of the contract file. The purpose of this file is to record and maintain the results of reviews by the Contracting Officer of the ordering officer's contract-related activities. The Contracting Officer must annually evaluate and document the performance of the ordering officer and provide a copy of this evaluation to the ordering officer's organizational head.

1.602-3 Ratification of unauthorized commitments

(a) For the MCFCS, authority to ratify unauthorized commitments is delegated as follows:

| <u>Ratification Threshold</u> | <u>Ratification Official</u> |
|--------------------------------|--|
| Greater than \$25,000 | DC, I&L |
| Less than or equal to \$25,000 | CCOs and Contingency Contracting Officers (CKOs) (only during deployment phase of an exercise/operation) |

These ratification authorities cannot be delegated further. The ADC, I&L (Contracts) may modify these thresholds on a case-by-case basis.

(b) The commanding officer of an activity for ratification purposes is considered to be that military official responsible for ensuring the activity performs its assigned mission, including acquisition of bona fide requirements for supplies or services for that activity, in accordance with applicable laws, regulations, and procedures. The commanding officer is also responsible for ensuring that military and civilian personnel assigned to the activity are aware of, and comply with, applicable laws, regulations, and procedures. Direct involvement in the ratification process will provide the commanding officer the opportunity to identify the need for additional training or for establishment of specific activity procedures to preclude possible recurrence of unauthorized commitments. The commanding officer is the only official authorized to provide the endorsement required in the ratification procedures. Endorsements may not be "By direction." The following examples illustrate who the commanding officer is for ratification purposes at a sampling of Marine Corps activities. If it is unclear who the appropriate ratification official is, contact LB for clarification.

| <u>Activity</u> | <u>Commanding Officer</u> |
|--|--|
| Headquarters, Marine Corps | Staff Agency Heads (e.g., Cognizant Deputy Commandant) |
| Marine Corps Base (MCB) Camp Pendleton | CG, MCB Camp Pendleton |

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Marine Corps Air Station (MCAS) CG, MCAS Cherry Point
Cherry Point

Eastern Recruiting Region (ERR) CG, MCRD/ERR
(e.g., Marine Corps Recruit Depot
(MCRD) Parris Island, Districts,
and Recruiting Stations)

(c) Procedures include the following:

(1) The military or civilian employee making the unauthorized commitment must forward documentation concerning the transaction to that person's commanding officer via their chain of command. It must include, as a minimum:

(i) A statement signed by the military or civilian employee describing the circumstances, why normal procurement procedures were not followed, what bona fide Government requirement necessitated the commitment, whether any benefit was received, its value, and any other pertinent facts.

(ii) All orders, invoices, or other documentary evidence of the transaction.

(2) If the commanding officer concurs that the commitment should be ratified, then the commanding officer must forward the documentation described above to the Contracting Officer with an endorsement that:

(i) Verifies the accuracy and completeness of the documentation.

(ii) Describes the measures taken to prevent a recurrence of unauthorized commitments.

(iii) Provides a complete purchase description and appropriate funding for the ratifying contract. Funding must be from the fiscal year in which the unauthorized commitment took place if such funds are available. Otherwise, currently available funds may be utilized.

(3) The Contracting Officer must:

(i) Review the documentation and endorsement provided.

(ii) Ascertain whether there are any doubtful questions of fact.

(iii) Prepare a determination and findings that address provisions contained in FAR 1.602-3(c).

(iv) Prepare a recommendation to the ratifying official.

(v) Prepare appropriate contractual documents citing funds available at the time the unauthorized actions of the Government took place.

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(vi) Submit the contract and supporting documents to CL field Counsel for an opinion as to form and legality and for any additional pertinent comment or advice.

(4) The ratifying official (ADC, I&L (Contracts), CCO, or CKO) must:

(i) Review the file;

(ii) Make the appropriate findings and determinations;

(iii) Ratify the unauthorized commitment or deny the ratification request; and

(iv) If the unauthorized commitment is ratified, execute, or authorize the execution of, the appropriate contractual document.

(d) A summary listing of ratifications processed, to include a brief synopsis and dollar amount for each unauthorized commitment, must be included annually in the CCO's Procurement Performance Management Assessment Program (PPMAP) certification.

1.603 Selection, appointment, and termination of appointment

1.603-1 (NMCARS) General

Authority for the selection, appointment, and termination of appointment of Contracting Officers is delegated as follows:

(a) The ADC, I&L (Contracts) is delegated authority to appoint as Contracting Officers individuals serving in acquisition positions within the Marine Corps.

(b) CCOs and CKOs, with unlimited contracting authority, may appoint as Contracting Officers individuals serving in contracting/acquisition positions within their commands and throughout their AORs, as set forth in [Appendix A](#). Contracting Officer appointments shall not be made to individuals not in a contracting/acquisition position, except for those delegations of authority to use the Governmentwide Commercial Purchase Card (GCPC) as a method of payment. These appointments will be made in accordance with the Department of the Navy (DoN) Purchase Card Instruction, EBUSOPSOFFINST 4200.1A. CCO and CKO appointments may be made at any level not exceeding \$5,000,000, following the procedures set forth herein and in [Appendix B](#). This authority may not be redelegated.

1.603-2 (DFARS) Selection

(a) Prior to appointing any individual as a Contracting Officer, the appointing official must ensure that the individual has the requisite knowledge and experience, as well as a track record of qualitative performance, appropriate to the dollar value and complexity of the prospective contracting responsibilities. Defense Acquisition Workforce Improvement Act (DAWIA) certification alone does not qualify someone for a warrant.

(b) The minimum qualification requirements to serve as a Contracting Officer with authority to award or administer contracts above the simplified acquisition threshold, including education, experience, and training requirements, are included in MAPS [Appendix B](#). The Marine Corps

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warrant-level requirements specified below are applicable to all individuals serving in contracting/acquisition positions under the authority of ADC, I&L (Contracts) and the RCO CCOs and CKOs, and must be met in order to qualify to serve in a contracting/acquisition position as a Contracting Officer with authority to award and/or administer acquisitions/contracts at the appropriate dollar threshold:

(1) **Simplified Acquisition Procedures (SAP).** Award of simplified acquisitions, delivery/task orders, and modifications above \$2,500 but not exceeding the simplified acquisition threshold (SAT). SAP appointments can also be made for amounts greater than the SAT but not exceeding \$5,000,000 for acquisitions conducted under FAR Subpart 13.5 (Test Program for Certain Commercial Items) provided that the qualification requirements contained in [Appendix B](#) are satisfied.

(i) Experience. Six months of recent experience in Government or commercial contracting applicable to the dollar threshold or nature of the procurement actions for which the warrant will be issued.

(ii) Training. Successful completion of CON 237 (Contracting Course under the Defense Acquisition University Curriculum), Simplified Acquisition Procedures.

(2) **Level I.** Award of contracts, delivery/task orders, and modifications with values up to \$500,000.

(i) Experience. Two years of recent, progressively complex and responsible contracting and/or staff experience in Government or commercial contracting.

(ii) Training. Completed all contracting courses required for the grade in which the employee or the military member is serving.

(3) **Level II.** Award of contracts, delivery/task orders, and modifications with values up to \$1,000,000.

(i) Experience. Three years of recent, progressively complex and responsible contracting and/or staff experience in Government or commercial contracting.

(ii) Training. Same as above.

(4) **Level III.** Award of contracts, delivery/task orders, and modifications with values up to \$5,000,000.

(i) Experience. Four years of recent, progressively complex and responsible contracting and/or staff experience in Government or commercial contracting.

(ii) Training. Same as above.

(5) **Level IV.** Unlimited authority for award of contracts, delivery/task orders, and modifications.

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(i) Experience. Five years of recent, progressively complex and responsible contracting and/or staff experience in Government or commercial contracting.

(ii) Training. Same as above.

(c) The annual maximum estimated quantity will be used to determine the warrant level for execution of combination firm-fixed price indefinite quantity contracts. For indefinite delivery contracts that include options, the warrant level includes all potential options.

(d) As the Senior Contracting Official (SCO) for the Marine Corps, the ADC, I&L (Contracts) has specific authority to grant waivers for warrants. This authority may not be redelegated.

(e) Information and templates for submitting warrant requests are available in [Appendix B](#) as well as on the K-21 website.

1.603-3 Appointment

(a) Appointments will be documented and copies filed as prescribed in FAR 1.603-3. The Standard Form (SF) 1402 will contain any warrant limitations (i.e., sole source actions, while in garrison, when deployed only, etc.), including limitations on the period of appointment. The original Certificate of Appointment will be provided to the appointed Contracting Officer.

(b) Contracting Officer authority granted to individuals assigned to RCOs and contracting offices is valid only when those individuals are assigned to those offices or organizations. Individuals who are transferred to support a contingency contracting operation shall submit their requests for Contracting Officer appointments to the ADC, I&L (Contracts). Authority of individuals assigned to contingency contracting offices is limited to the deployment phase of a contingency operation or exercise only. Supplies and services needed during the pre-deployment phase shall be obtained from the local RCO. Partnering between the RCO and contingency contracting office is strongly encouraged for personnel to maintain contracting competencies while in garrison.

(c) Appointing officials may review existing warrants and make a determination to increase or decrease an individual's warrant level within the parameters of these warranting provisions based on the individual's proven capabilities, office workload, and business environment. Changes, either increasing or decreasing the existing warrant level of a Contracting Officer, will be made solely at the discretion of the appointing official. When an appointing official determines to make such changes, a new Certificate of Appointment will be issued, and the previous Certificate of Appointment is automatically terminated.

(d) The ADC, I&L (Contracts) is committed to ensure that all contracting and purchasing workforce members keep up-to-date in their technical and leadership competencies. Thus, to maintain their warrants, Contracting Officers will be required to adhere to the Department of the Navy's policy guidance on Continuous Learning for the Acquisition Workforce, which is included in [Appendix B](#) and is identified as a reporting requirement in subparagraph (e) below.

(e) Each contracting office shall collect and report the following data on its acquisition workforce:

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- (1) Warrant level.
- (2) Education level.
- (3) DAWIA certification level(s).
- (4) Continuous Learning points.

This information shall be consolidated at the RCO level and be provided to LB by 30 October of each year. The report format and additional reporting requirements are provided in [Appendix C](#).

1.603-4 Termination

Appointments of Contracting Officers remain in effect as long as appointees are assigned to the office or organization stated on the warrant, unless terminated sooner by the appointing official, their successor, ADC, I&L (Contracts), or designee.

1.690 (NMCAG) Requirements to be met before entering into contracts

- (a) Business clearance review/approval levels shall include the value of all options under a contract.
- (b) CCOs shall establish review/approval levels for business clearances for contract actions up to \$1,000,000. All business clearances must be approved at a level higher than the person responsible for negotiating the action.
- (c) Within the MCFCS, business clearances for contractual actions over \$1,000,000 must be approved by the ADC, I&L (Contracts), or designee. The CCO must sign as “reviewer.”
- (d) CCO business clearance approval levels may be increased or decreased by the ADC, I&L (Contracts) on a case-by-case basis.

1.691 (NMCARS) Procurement management oversight

1.691-1 Responsibilities

1.691-1-100 Procurement Performance Management Assessment Program (PPMAP)

- (a) The procurement management oversight process employed for the MCFCS PPMAP will:
 - (1) Focus on improvement in all phases of the procurement process.
 - (2) Identify problems early in the acquisition cycle.
 - (3) Provide a feedback system to contracting organizations assuring timely information to all organizational levels. Feedback should address strengths, weaknesses, and significant findings. LB PPMAP Program Managers will determine the adequacy of initiatives taken to resolve quality issues identified through the feedback system.

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(4) Increase/decrease the level of oversight required based upon a contracting organization's proficiency, quality, and business considerations.

(5) Encourage sharing of best practices/processes and "lessons learned."

(b) Generally, all MCFCS PPMAP on-site visits will be scheduled and conducted every three years in accordance with the LB PPMAP Guide found at MAPS [Appendix D](#). Three-year cycle schedules of on-site visits will be established/maintained by the LB PPMAP Team Program Managers via the Knowledge for Acquisition in the 21st Century ("K-21") website at <https://k21.hqmc.usmc.mil/>.

(c) PPMAP Program requirements apply to all contracting offices. CCOs should submit, by 30 October, an annual summary of relevant findings (best practices, deficiencies, recommendations, etc.) from the results of the previous fiscal year's PPMAP reviews. See MAPS [Appendix E](#) for reporting requirements.

SUBPART 1.7—DETERMINATIONS AND FINDINGS

1.707 Signatory authority

All D&Fs forwarded to the ADC, I&L (Contracts) for signature shall contain an endorsement by the CCO.

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Part 2—Definition of Words and Terms

SUBPART 2.1—DEFINITIONS

2.101 Definitions

“CCO” means the “Chief of the Contracting Office”. For the purposes of the MAPS, the CCO is the official at a Regional Contracting Office (RCO) or Headquarters, Marine Corps Logistics Command (MCLC) who has overall responsibility for managing the entire contracting office and includes the principal deputy to such official.

“Commander” means commanding generals and commanding officers of Regular Establishments, Marine air reserve training detachments (MARTDs)/subunits, inspector-instructors, officers in charge of subunits, and officers in charge of recruiting stations. Unless otherwise specifically provided in this supplement, authority granted to the commander may be further delegated.

“Contingency Contracting Officer (CKO)” means that individual responsible for the provisioning of essential supplies and services needed to sustain the mission of a contingency military force. Duties include emergency contracting to support actions necessary for the mobilization and deployment of units. In addition to rescue and humanitarian relief missions, military contingencies can include demonstrations of force, raids, and larger operations undertaken to protect U.S. interests, lives, and property.

“Counsel”/“CL field Counsel” means an attorney from the Office of Counsel for the Commandant and its field offices that provide legal support and assistance to Marine Corps contracting activities. The Office of Counsel for the Commandant and its field offices are component offices of the Navy Office of General Counsel and are separate from the Director, Judge Advocate Division, HQMC and those Staff Judge Advocate offices assigned to Marine Corps operational units and installations.

“Head of the Contracting Activity (HCA)” means for all contracting offices in the MCFCS and MCLC, the Deputy Commandant, Installations and Logistics.

“Assistant Deputy Commandant, Installations and Logistics (Contracts)” is also referred to as the Director, Contracts Division, LB.

“K-21” means Knowledge for Acquisition in the 21st Century. K-21 is a knowledge management system developed to provide the MCFCS and MCLC with a single point of reference for all its contracting needs and is the main tool for dissemination of contracting information.

“RCO” as used in these procedures means a Regional Contracting Office or the Headquarters, Marine Corps Logistics Command Contracting Office.

2.101-100 Acronyms

A list of acronyms commonly used in Marine Corps contracting is included in MAPS [Appendix F](#).

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Part 3—Improper Business Practices and Personal Conflicts of Interest

SUBPART 3.1—SAFEGUARDS

3.101 Standards of conduct

3.101-3 (FAR) Agency regulations

(a) All personnel must comply with the provisions contained in the latest edition of the Joint Ethics Regulation (JER), DoD 5500.7-R. The JER is provided on the Internet at http://www.defenselink.mil/dodgc/defense_ethics/.

(b) Except for individuals required to file Public Financial Disclosure Reports, individuals involved in procurement or contracting must file Confidential Financial Disclosure Reports with their local designated ethics official. See the JER for details on filing requirements and procedures.

3.104 Procurement integrity

3.104-3 (FAR) Definitions

“Participating personally and substantially.” In the case of an OMB Circular A-76 procurement, CL field Counsel must be consulted prior to implementing a course of action that may result in Government employees, from the in-house Government organization, participating personally and substantially in the procurement.

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Part 4—Administrative Matters

SUBPART 4.2—CONTRACT DISTRIBUTION

4.201 (NMCARS) Procedures

Contracting Officers will use the notification capabilities of the Navy Air Force Interface (NAFI) to the Department of Defense (DoD) Electronic Document Access (DEDA) system to ensure that customers and other relevant Government parties normally on distribution lists are aware of new contracts posted to NAFI for their access and review. NAFI may be accessed at <https://www.nafi.navy.mil>. This system replaces distribution of hard copies of contracts.

SUBPART 4.6—CONTRACT REPORTING

4.670-3 (DFARS) Contracting office responsibilities

(a) Contracting Officers shall prepare and enter DD Forms 350 information utilizing automated systems capable of interfacing directly with the Procurement Management Reporting System (PMRS) server either through the Internet at <https://www.navypmrs.nor.fisc.navy.mil/> or via modem. CCOs will collect and enter DD Forms 350 information for those contracting offices in their AOR that do not have the capability for interfacing with the PMRS server.

(b) The Contracting Officer shall ensure that the DD Form 350 is completed prior to executing any contractual action that requires a DD Form 350 (See DFARS 204.670-3).

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Part 5—Publicizing Contract Actions

SUBPART 5.3—SYNOPSES OF CONTRACT AWARDS

5.303 (DFARS/NMCARS) Announcement of contract awards

For contract awards obligating amounts in excess of \$5,000,000, announcement information shall be submitted to the Navy Chief of Information (CHINFO) and to the Office of Legislative Affairs (OLA) via e-mail. A copy of this announcement will be provided to Policy & Oversight, Contracts Division, HQMC (LBPO) via e-mail. E-mail addresses and telephone numbers of current CHINFO and OLA points of contact are included in the K-21 general policy library. Also included are some sample contract announcement formats, helpful tips, and sample announcements.

SUBPART 5.4—RELEASE OF INFORMATION

5.404 (NMCARS) Release of long-range acquisition estimates

CCOs are authorized to release long-range acquisition estimates. This authority cannot be further delegated.

SUBPART 5.5—PAID ADVERTISEMENTS

5.502 (DFARS) Authority

Newspapers. Approval authority for publication of paid military recruiting advertisements in newspapers is delegated, without power of redelegation, to the Commander, Marine Forces Reserve, the Commanding General, Marine Corps Recruiting Command, the Commanding General, Eastern Recruiting Region, and the Commanding General, Western Recruiting Region. For civilian personnel advertising, commanding officers and officers in charge of Marine Corps field activities are delegated approval authority. Authority to approve the publication of paid advertising in newspapers for all other purposes is delegated, without power of redelegation, to CCOs.

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Part 6—Competition Requirements

SUBPART 6.2—FULL AND OPEN COMPETITION AFTER EXCLUSION OF SOURCES

6.202 (NMCARS) Establishing or maintaining alternative sources

For a proposed contract not exceeding \$50,000,000, the approval level for the D&F is the ADC, I&L (Contracts). This approval authority is not delegable below the General Officer or Senior Executive Service (SES) level per NMCARS 5206.202.

SUBPART 6.3—OTHER THAN FULL AND OPEN COMPETITION

6.302-2 (FAR) Unusual and compelling urgency

Any J&A using the urgency authority, that is not approved prior to contract award because obtaining such approval would unreasonably delay the acquisition, shall be submitted to the approval authority within 30 calendar days after contract award for approval.

6.303-1 (NMCARS) Requirements

Technical and requirements personnel must obtain review and approval at the O-6/GS-15 or Officer In Charge (OIC) level of the cognizant technical/requirements office before submitting a recommendation for other than full and open competition to the Contracting Officer.

6.303-2 (FAR/DFARS/NMCARS) Content

(a) Justifications shall be prepared in the format and sequence specified in [Appendix G](#) and shall contain sufficient facts and rationale to support the statutory authority cited. Each J&A shall contain the information required by FAR 6.303-2, DFARS 206.303-2, and NMCARS 5206.303-2, including the title, introductory paragraph, and information headings shown in [Appendix G](#). The J&A template in the Standard Procurement System (SPS) may also be used provided it is tailored to include all required information.

(b) Whenever a J&A requires approval at the Competition Advocate of the Marine Corps (ADC, I&L (Contracts)) or higher level and the authority of 10 U.S.C. 2304(c)(2) is cited, a memorandum certifying the urgency shall be executed by a General Officer or a SES civilian responsible for the requirement at the requiring activity. If neither of these levels exists at the requiring activity, the commanding officer or the command's senior civilian official shall execute the urgency memorandum. The memorandum shall describe the nature of the unusual and compelling urgency, why full and open competition is precluded, and the serious injury, financial or other, that would result from a delay in the award. This memorandum shall be attached to the J&A and referenced in paragraph 5 therein, if applicable.

(c) Additional information and documentation that should be provided with J&As submitted for ASN (RD&A) approval is included in the K-21 general policy library.

(d) Procurement actions that are being performed on the basis of a J&A must be executed in compliance with the approved J&A. If a requirement changes such that an approved J&A no longer accurately reflects the requirement, the Contracting Officer shall submit a formal notice of the proposed change to the approval authority for concurrence prior to making the change.

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Part 6—Competition Requirements

6.303-90 (NMCAG) Review

Each justification governed by FAR Part 6 should be reviewed by CL field Counsel for legal sufficiency prior to its submission for approval. In the event that Counsel is not available, contracting personnel should contact CL for assistance.

6.304 Approval of the justification

(a) For a proposed contract action greater than \$500,000 but less than \$10,000,000, the justification shall be approved by the Command Competition Advocate. This authority may be delegated to a level no lower than the CCO.

(b) All justifications greater than \$10,000,000 but less than \$75,000,000 shall be submitted through the CCO to the ADC, I&L (Contracts) for approval at the appropriate I&L level. This approval authority is not delegable below the General Officer or SES level.

(c) All justifications greater than \$75,000,000 shall be submitted through the Command Competition Advocate and the ADC, I&L (Contracts) for approval by ASN (RD&A).

SUBPART 6.5—COMPETITION ADVOCATES

6.501 (NMCARS) Requirement

(a) The ADC, I&L (Contracts) has been designated the Competition Advocate of the Marine Corps.

(b) All RCOs shall have a Command Competition Advocate. Commanders shall designate in writing an individual as Competition Advocate who:

(1) Has extensive knowledge of the types of acquisitions within the command;

(2) Is at a position level commensurate in grade or rank with the senior level program, product, or requirements personnel with whom the advocate interacts;

(3) Has direct access to the Commander on matters relating to competition and the acquisition of commercial items and services; and

(4) Is not assigned any duties or responsibilities that are inconsistent with Competition Advocate duties and responsibilities identified in FAR 6.502 and NMCARS 5206.502.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 7—Acquisition Planning

SUBPART 7.1—ACQUISITION PLANS

7.102 Policy

(a) Contracting Officers shall ensure that adequate acquisition planning is performed consistent with the character and risks associated with the procurement of each requirement prior to issuing solicitations. Local procedures shall be established to institutionalize the process. As a minimum, the process should address the following:

- (1) The adequacy of the requirement description and specification.
- (2) The market availability of the requirement.
- (3) The practicality of the schedule or delivery requirements.
- (4) Technical and/or performance risks associated with the requirement.
- (5) Adequacy of funding and consideration of the limitations placed on the use of funds.
- (6) Strategy to mitigate the risks and constraints identified. This strategy should address the rationale used to select the procurement method (sealed bid, negotiated, reverse auction, FAR 13.5 test program, etc.), the contract type (fixed price, cost, cost plus award fee, etc.), the specification type (performance, detailed, proprietary, etc.), the selection criteria (best value, experience, technical proposal, etc.), the quality assurance provisions (special inspections, reports, etc.), or any other aspect of the requirement thought to be a potential problem.
- (7) Fulfillment of socioeconomic goals (See FAR Parts 19 and 26).

(b) Acquisition planning is a team effort and should involve technical, contractual, small business, legal counsel, comptroller, program management, and customer personnel, all focused on developing the most effective plan for delivery of quality products in the most economical and timely manner possible.

7.103 (NMCARS) Agency-head responsibilities

Written acquisition plans delineated in DFARS 207.103 shall be submitted to the ADC, I&L (Contracts) for approval.

7.105 Contents of written acquisition plans

The detail and formality of written acquisition plans should be commensurate with the complexity of the requirement and signed by all those having an interest in the procurement, including the small business specialist.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 7—Acquisition Planning

SUBPART 7.3—CONTRACTOR VERSUS GOVERNMENT PERFORMANCE

7.304 (FAR) Procedures

Legal advice must be obtained from CL and/or field Counsel involving the following matters related to acquisitions under OMB Circular A-76:

- (a) Determining whether a function is inherently governmental or commercial when questionable.
- (b) Determining the assignment of personnel to perform PWS and quality assurance surveillance plan development, management plan development, source selection plan development, and source selection.
- (c) Determining the particular barriers against the unauthorized flow of information (firewalls) between members of the PWS/contracting team and the Most Efficient Organization (MEO)/Agency Tender Official (ATO) team.
- (d) For definitions see OMB Circular A-76.

SUBPART 7.4—EQUIPMENT LEASE OR PURCHASE

7.470 (DFARS) Statutory requirements

The Commander is authorized to make a determination to enter into, extend, or renew any vessel, aircraft, or vehicle through a lease, charter, or similar agreement for a term of 18 months or more. This authority may not be redelegated.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 8—Required Sources of Supplies and Services

SUBPART 8.4—FEDERAL SUPPLY SCHEDULES

8.404 (FAR) Using schedules

Past experience indicates that using federal supply schedules requires great scrutiny. See FAR Parts 8.404, 8.405 and DFARS Parts 208.404, 208.404-70.

SUBPART 8.70—COORDINATED ACQUISITION

8.7004-1 (DFARS) Purchase authorization from requiring department

(a) Use of the Military Interdepartmental Purchase Request (MIPR) or other authorized document cited in DFARS 208.7004 involves the sending of requirements and the necessary funding to acquiring departments under the Coordinated Acquisition Program. Under this program, MIPRs may be used to send requirements to a single department, agency, or the General Services Administration (GSA) having contracting responsibility and commodity assignment for the specific commodity sought.

(b) Use of the MIPR to send requirements and funding to be held for future requirements (i.e., illegal banking of funds) is not authorized. See MAPS Part 17 to determine Economy Act applicability.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 9—Contractor Qualifications

SUBPART 9.4—DEBARMENT, SUSPENSION, AND INELIGIBILITY

9.406 Debarment

9.406-3 (NMCARS) Procedures

CL is responsible for processing and recommending a debarment or suspension action to the Department of the Navy Debarring and Suspending Official via Counsel, Procurement Integrity Office (Counsel (PIO)). Submit matters relevant to debarment and suspension to CL via the appropriate CCO and CL field Counsel.

9.407 Suspension

9.407-3 (NMCARS) Procedures

Process reports in accordance with MAPS 9.406-3.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 10—Market Research

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 11—Describing Agency Needs

11.002 Policy

(a) The Procurement Request Builder (PR Builder), accessible via the Internet at <https://www.prbuilder.navy.mil/>, is the Marine Corps' primary method of creating, routing for approval, and applying funding to a purchase request (PR) to obtain goods or services. As a minimum, each PR should contain the following information, whether or not PR Builder is utilized:

(1) PR for supplies or services.

(i) Requiring activity's address.

(ii) Name, phone number, and e-mail address of the point of contact (POC) for the requirement originator. The POC is an individual that contracting personnel may contact when questions/issues arise regarding the procurement.

(iii) Price estimate and a basis for the estimate (e.g., previous purchases for similar supplies/services, and price listings).

(iv) Appropriation data, certified by the proper authority that funds are authorized and available for the purchase. Provide name, phone number, and e-mail address of the funding POC.

(v) Recommended supply source(s) or service provider(s), including complete mailing addresses, phone numbers, e-mail addresses, and POCs. When a sole source is requested, provide the reason why this is the only source that can fulfill the requirement.

(vi) Validation by the appropriate individual that the requirement cannot be satisfied within the Government supply system. Provide name, phone number, and e-mail address of the cognizant POC.

(vii) Priority assignments in accordance with the Uniform Materiel Movement and Issue Priority System (UMMIPS).

(viii) "Mark for" instructions to be cited on the purchase instrument, if applicable.

(2) PR for services. In addition to subparagraph (1), the PR should contain the following, as applicable:

(i) Description of services to be performed. The description may include a listing and description of specific items (e.g., report(s)) to be provided to the requiring activity during the performance period.

(ii) Location of where services are to be performed.

(iii) Period of performance (i.e., when services are to be performed). In cases where the anticipated period of performance exceeds one year, contracting personnel should coordinate with the requiring activity regarding the potential use of option solicitation provisions and contract clauses.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 11—Describing Agency Needs

(3) **PR for supplies.** In addition to subparagraph (1), the PR should contain the following, as applicable:

(i) Description of the supplies, including the following, as applicable:

(A) Common nomenclature, part number, national stock number, local stock number, model number.

(B) Kind of material (e.g., type, grade, and alternatives).

(C) Electrical data.

(D) Dimensions, size, or capacity.

(E) Principles of operation.

(F) Restrictive environmental conditions.

(G) Intended use, including equipment with which the item is to be used.

(H) Original equipment manufacturer's part number.

(I) Unit of issue (e.g., each, roll, can, or lot).

(J) Quantity requested.

(K) Delivery information.

(1) Required delivery date(s) (must be stated as specific calendar dates).

(2) Place of delivery.

(L) Special packing or marking information.

(b) Once received in the contracting office, PRs must be reviewed for adequacy. Each office should establish minimum standards for requirements data, which must be included as a part of each PR to be considered adequate. If a PR is determined to be inadequate for procurement action, it should normally be returned to the requiring activity for modification or cancellation. Upon a determination of adequacy, contracting office personnel will record both the date and time the actionable purchase request was received in the contracting office for processing.

SUBPART 11.1—SELECTING AND DEVELOPING REQUIREMENTS DOCUMENTS

11.104 (FAR) Use of brand name or equal purchase descriptions

(a) A Level IV Contracting Officer written approval is required to use "brand name or equal" specifications.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 11—Describing Agency Needs

(b) When using brand name or equal, the requirement shall include the item description followed by the words "or equal." The salient characteristics shall be listed in sufficient detail for evaluating acceptability of unlisted products.

SUBPART 11.2—USING AND MAINTAINING REQUIREMENTS DOCUMENTS

11.271 (DFARS) Elimination of use of Class I Ozone-Depleting Substances

Activities are prohibited from purchasing Class I Ozone-Depleting Substances (ODS) from commercial sources unless authorization is granted by an official at a level no lower than a general or flag officer or member of the Senior Executive Service of the requiring activity in accordance with Section 326, Pub. L. 102-484, FAR Subpart 23.8, and DFARS Section 211.271. Approvals for local purchases of a Class I ODS must be compiled and submitted annually to the Logistics Capabilities Center (CMC (LPC-2)) no later than January 10 for consolidation and submission to DASN (ACQ).

SUBPART 11.6—PRIORITIES AND ALLOCATIONS

11.602 (FAR) General

All Contracting Officers of the Marine Corps are delegated the authority to apply DO ratings and allotment numbers to contracts, purchase orders, and delivery orders for approved programs under the Defense Priorities and Allocations System (DPAS) program.

11.603 (FAR/DFARS) Procedures

Contracting Officers must, when required, include in contracts, purchase orders, and delivery orders any assigned DO ratings in accordance with the latest editions of 15 CFR 700, DoDD 4400.1, DoD 4400.1-M, and NAVSUPINST 4830.1.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 12—Acquisition of Commercial Items

SUBPART 12.1—ACQUISITION OF COMMERCIAL ITEMS—GENERAL

12.101-100 Policy

(a) The Department of Defense Electronic Mall (EMALL) is intended to be the single entry point for purchasers to acquire off-the-shelf, finished items and services from the commercial marketplace and government sources. In addition, Contracting Officers and GCPC cardholders are encouraged to use this resource for market research and price comparisons when satisfying their requirements. The EMALL is accessible via the Internet at <https://emall.prod.dodonline.net/scripts/emLogon.asp>.

(b) Contracting with military exchanges and other nonappropriated fund instrumentalities (NAFIs) for items and services is authorized per ASN (RD&A) memorandum of 18 November 1997, which implements 10 U.S. Code § 2482a. That policy memorandum is accessible via the Internet at <http://www.abm.rda.hq.navy.mil/navyaos/content/view/full/275>. Contracting Officers and GCPC cardholders are authorized to acquire goods and services from the military exchanges (e.g., Army Air Force Exchange Service (AAFES), Navy Exchange (NEX), and Marine Corps Exchange (MCX)) and other NAFIs. Normal procurement regulations are applicable, and NAFIs are not to be given preferential treatment in the source selection process. Military exchanges are not considered small business concerns as defined in FAR 19.001.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 13—Simplified Acquisition Procedures

13.003 (NMCARS) Policy

Per NMCARS 5213.003, and unless otherwise specified, the Marine Corps shall follow DoN-wide policies for simplified acquisition issued by the Naval Supply Systems Command (NAVSUPSYSCOM) as follows:

(a) Overall simplified acquisition policies and procedures are found in NAVSUPINST 4200.85 (series) available via the Internet at <http://nll1.navsup.navy.mil/nll/getdata.cfm>. Interim changes to that instruction and other simplified acquisition policies, procedures, and guidance are posted in the NAVSUPSYSCOM's Contract Management Library available at <http://nll2.navsup.navy.mil/cml/>.

(b) Specific policies and procedures for the operation and management of the GCPC Program are found in DoN EBUSOPSOFFINST 4200.1A at <http://www.don-ebusiness.navsup.navy.mil>. General information and training modules for the DoN GCPC Program are available via the Internet at www.don-ebusiness.navsup.navy.mil. In addition, Marine Corps-unique GCPC procedures are included in MAPS [Appendix H](#).

SUBPART 13.2—ACTIONS AT OR BELOW THE MICRO-PURCHASE THRESHOLD

13.270 (DFARS) Use of the Governmentwide commercial purchase card

(a) The GCPC will be used as the method of purchase and/or payment for services and supplies valued at or below the micro-purchase threshold. A written determination by a General Officer or member of the Senior Executive Service is required prior to issuing a purchase order or contract for such actions. This authority may not be redelegated. Class determinations and findings (CD&Fs) for this purpose are not authorized unless approved by ADC, I&L (Contracts).

(b) The written determination described in (a) above is not required when placing orders under existing contracts such as delivery/task orders for indefinite quantity type contracts, purchases under BPAs, or when issuing contracts or purchase orders that will be performed entirely outside of any state, territory, or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

SUBPART 13.3—SIMPLIFIED ACQUISITION METHODS

13.301-100 (FAR) Governmentwide commercial purchase card

(a) DoN EBUSOPSOFFINST 4200.1A establishes procedures under which the GCPC may be used as a method of payment for transactions over \$2,500. Within the Marine Corps utilizing the GCPC as a method of payment above the micro-purchase threshold is not preferred and should only be done when no other means of contract payment is feasible and/or practicable.

(b) The following approvals are required when using the GCPC as a method of payment above the micro-purchase threshold:

(1) For contracts with a total estimated value of \$25,000 or less, the GCPC may only be used as a method of payment with the approval of the CCO or an authorized designee.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 13—Simplified Acquisition Procedures

(2) For contracts with a total estimated value greater than \$25,000, the GCPC may only be used as a method of payment with the approval of the ADC, I&L (Contracts), or an authorized designee.

(c) CCOs will submit monthly reports documenting the use of this authority to LB.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 14—Sealed Bidding

SUBPART 14.4—OPENING OF BIDS AND AWARD OF CONTRACT

14.407 Mistakes in bids

14.407-3 (FAR/NMCARS) Other mistakes disclosed before award

(a) The ADC, I&L (Contracts), without power of redelegation, shall make the determinations required by FAR 14.407-3(a), (b), and (d).

(b) Evidence in support of requests for correction of bids shall be forwarded via the RCO CCO to the ADC, I&L (Contracts). The package shall contain the Contracting Officer's analysis and recommendation as well as the bidder's original work sheets, a certification by the bidder that the work sheets are the originals and the mistake and amount to be corrected are accurate and true to the best of their knowledge and belief, and a legal memorandum by the CL field Counsel.

(c) Requests for withdrawal of bids must be accompanied by a declaration from the bidder that, if permitted to withdraw and the work is awarded to another bidder, the withdrawing bidder will not participate in the work through subcontract or otherwise.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 15—Contracting by Negotiation

SUBPART 15.3—SOURCE SELECTION

15.303 Responsibilities

(a) Source Selection Authority (SSA). The Contracting Officer or the CCO, as determined locally, shall serve as the SSA, unless an alternate individual is designated by the ADC, I&L (Contracts). The SSA is responsible for ensuring that all aspects of the selection process are conducted properly. Based on input from an evaluation team tailored for a particular acquisition, the SSA personally determines the successful offeror and documents the decision in the source selection decision.

(b) For negotiated contracts less than \$10,000,000, a Contracting Officer operating within his/her warranted authority may perform the duties of both the SSA and Source Selection Advisory Council (SSAC), with a single technical evaluator performing the duties of the Source Selection Evaluation Board (SSEB).

(c) For negotiated contracts greater than \$10,000,000, a formal source selection organization shall be used. See [Appendix I](#) for a sample description of the roles and responsibilities for such an organization.

(d) The Small Business Specialist shall, at a minimum, be an advisor to the SSEB when FAR 15.304(c)(4) applies.

(e) Source Selection Plan (SSP). A written SSP shall be prepared for all planned acquisitions greater than the simplified acquisition threshold. Tailor the contents and extent of the plan consistent with the dollar value and complexity of the proposed acquisition. Notwithstanding the SSA approval threshold, all SSPs for acquisitions over \$10,000,000 shall be forwarded to ADC, I&L (Contracts) for approval prior to issuance of the solicitation. SSPs shall contain, at a minimum, the following information:

(1) A description of the project/procurement to include the rationale as required by FAR 6.401 that underlies the decision to use source selection procedures.

(2) A listing by name of the SSA, members of the SSAC (if required), the Contracting Officer (if different from the SSA), the Chairperson of the SSEB, the individual members of the SSEB, if required, the small business specialist, the person conducting cost and/or price evaluation, CL field Counsel, and the Contracting Officer's staff who will handle this procurement.

(3) A listing of the evaluation factors and weighting that will be used, including a copy of Section M of the proposed solicitation. Any source selection where the relative importance makes the weight given to technical factors greater than price requires prior written approval from the CCO.

(4) The evaluation process to be used by the SSEB. This evaluation process shall be described in sufficient detail so that the SSEB requires no other documentation in conducting their evaluation.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 15—Contracting by Negotiation

(5) SSPs covering the acquisition of services shall also include the content required by MAPS 37.503.

See the sample SSP found at [Appendix J](#).

15.308 Source selection decision

A source selection decision document shall be prepared for all source selections and reflect the SSA's integrated and independent assessment and decision. The document must be the single summary document supporting selection of the best value proposal consistent with the stated evaluation criteria. It must clearly explain the decision and document the reasoning used by the SSA to reach a decision. The document should be releasable to the Government Accountability Office and others authorized to receive proprietary and source selection information. When releasing a copy to offerors or to anyone not authorized to receive proprietary and source selection information, redacted material should be limited to that which is proprietary and that which must continue to be protected as source selection information.

SUBPART 15.4—CONTRACT PRICING

15.406 Documentation

15.406-90 (NMCAG) Business clearance

In all acquisitions greater than \$100,000, the Contracting Officer will prepare a Business Clearance Memorandum (BCM) following the format found at [Appendix K](#).

SUBPART 15.6—UNSOLICITED PROPOSALS

15.606 Agency procedures

Pursuant to FAR 15.606-2, all unsolicited proposals shall be forwarded to the contracting office for evaluation. The CCO shall determine the disposition of the proposal. This authority may not be redelegated.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 16—Types of Contracts

SUBPART 16.5—INDEFINITE DELIVERY CONTRACTS

16.503 Requirements contracts

(a) The contract price on the award document shall be marked: “Estimated Total Price Base Year Only.”

(b) No funds shall be obligated at time of award but are obligated at time of issuance of orders against the contract.

16.504 Indefinite-quantity contracts

(a) The contract price on the award document shall be marked: “Not to Exceed.”

(b) Funds are to be obligated at time of award for the minimum quantity only.

16.505 Ordering

(a) *General.*

(1) Delivery/task orders may only be executed by a warranted Contracting Officer or an ordering officer designated pursuant to MAPS 1.602-2(b).

(2) All delivery/task orders shall be issued on DD Form 1155 or SF 1449, as appropriate.

(3) Orders under contracts funded with annual appropriations shall not be executed in one fiscal year with commencement beginning in the next fiscal year (See FAR 32.703-3 and DFARS 232.703-3).

(b) *Orders under multiple award contracts.*

(5) (NMCARS) *Task and Delivery Order Ombudsman.* As Competition Advocate, ADC, I&L (Contracts) is designated as the ombudsman for task order/delivery order contracts. This designation may not be redelegated.

SUBPART 16.6—TIME-AND-MATERIALS, LABOR-HOUR, AND LETTER CONTRACTS

16.603-3 Limitations

CCOs are authorized to make the written determination concerning a letter contract that no other contract is suitable. This authority may not be redelegated.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 17—Special Contracting Methods

SUBPART 17.1—MULTI-YEAR CONTRACTING

17.105 (NMCARS) Policy

17.105-1 Uses

CCOs are delegated authority to award multi-year contracts, subject to the conditions contained in the FAR and DFARS. This authority may not be redelegated.

17.171 (DFARS) Multi-year contracts for services

CCOs are delegated the authority to make the determinations described in DFARS 217.171(a)(3). This authority may not be redelegated.

SUBPART 17.2—OPTIONS

17.204 (NMCARS) Contracts

Prior to the issuance of a solicitation, in excess of the limits specified in FAR 17.204(e), the matter will be sent to ADC, I&L (Contracts) for approval. The supporting documentation shall explain how the procurement's competitive history and/or significant capital investment requirement indicates that a longer period of performance is necessary to establish or maintain competition.

SUBPART 17.5—INTERAGENCY ACQUISITIONS UNDER THE ECONOMY ACT

17.501 Definitions

As used in this subpart—

“Assisting Activity” means the department/agency/activity outside of the Marine Corps with contracting responsibility for a Marine Corps requirement.

“Assisted Acquisition” means a contract awarded or a task or delivery order placed on behalf of the Marine Corps by an official of the United States outside of the Marine Corps.

“Direct Acquisition” means a task or delivery order placed by a Marine Corps Contracting Officer/Ordering Officer against a contract vehicle established outside of the Marine Corps.

“Non-Marine Corps contracts” means contracts awarded by an official outside the Marine Corps. These include optional use Federal Supply Schedules, Blanket Purchase Agreements issued against Federal Supply Schedules, and other contracts/schedules awarded outside the Marine Corps.

“Requiring Individual” means the individual in the organization responsible for identifying and fulfilling the requirement.

“Requiring Activity Supporting Contracting Office” means the Marine Corps contracting activity normally providing contracting support to the requiring organization.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 17—Special Contracting Methods

17.502-100 General

(a) The Economy Act, 31 United States Code 1535, provides tremendous flexibility in the execution of our mission by allowing the Marine Corps to legally transfer funds outside the Marine Corps to other federal agencies. The Act authorizes federal agencies to obtain supplies or services via interagency acquisitions that are determined to be in the best interest of the Government when the supplies or services cannot be obtained as conveniently or economically by contracting directly with a private source.

(b) FAR 17.5, DFARS 217.5, and NMCARS 5217.5 provide overarching guidance on the implementation of the Economy Act at the federal, Department of Defense, and Department of the Navy level. Within the Marine Corps, the ADC, I&L (Contracts) and COMMARCORSYSCOM have been delegated the authority to approve the D&Fs required under this section.

(c) Section 854 of the National Defense Authorization Act (NDAA) FY 2005, as implemented by OSD and OSN memorandums of 29 October 2004 and 20 December 2004, respectively, require additional reviews, approvals, and reporting for all interagency acquisitions using non-DoD contracts. This applies to acquisitions using the authority of the Economy Act or other specific statutory authority federal civilian agencies have to contract for other agencies (e.g., Franchise Funds). MAPS Subpart 17.5 implements these additional requirements Marine Corps wide.

17.503 Determinations and findings requirements

The following policy applies to all activities that use non-Marine Corps contracts to satisfy their requirements.

(a) Assisted acquisitions regardless of dollar amount made through non-DoD agencies (e.g., federal civilian agencies to include their franchise funds), and assisted acquisitions greater than \$1M made through DoD agencies (e.g., Army, Navy, Air Force, DLA, DAPS). To comply with the Economy Act and Section 854, NDAA, the CCO, with the assistance of the Requiring Individual, will prepare the Economy Act D&F and will forward it to ADC, I&L (Contracts) for approval before any funds are transferred outside the Marine Corps. [Appendix L](#) provides the outline, the information required to comply with the law, and approvals required in the D&F.

(b) Assisted acquisitions less than \$1M made through DoD agencies (e.g., Army, Navy, Air Force, DLA, DAPS). The Marine Corps must make an affirmative declaration that the proposed action meets the requirements of the Economy Act. Prior to the transfer of any Marine Corps funds to another Military Service or DoD agency, the CCO will document the file with a Memorandum for the Record (MFR) articulating why such action complies with all of the requirements of the Economy Act. [Appendix M](#) provides the outline, information, and approvals required in the MFR.

(c) These procedures do not apply to:

(1) Supplies and services procured under mandatory supply sources as defined in FAR Part 8 (e.g., purchases on the Procurement List maintained by the Committee for Purchase From People Who Are Blind or Severely Disabled—JWOD).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 17—Special Contracting Methods

(2) Micro-purchases of supplies or services using the GCPC.

(3) Mobile (cellular) phone services and mobile data (i.e., BlackBerry® and like devices) services (ASN RD&A policy memo of 7 March 2005).

(4) Architect-engineer, construction and facilities support contracts performed by NAVFACENGCOM per NMCARS 5201.601-90(a)(1).

(5) Construction procured from the Army in Japan and Okinawa per DoDD 4270.5.

(d) The Requiring Individual who generates requirements for execution under the Economy Act or other interagency vehicles is responsible for providing the needed information to the contracting office so that the requisite documentation can be completed. In addition, the cognizant Comptrollers will not release funds for interagency procurements until the required documentation has been completed. Comptrollers will also take necessary actions to ensure appropriate tracking of funding transferred outside the Marine Corps to ensure a proper audit trail.

(e) The Requiring Activity Supporting Contracting Office that normally provides contracting support to the requiring organization shall record data using the “Requiring Organization Report Format” specified in attachment (1) to DoN Guidelines for Proper Use of Non-DoD Contracts. These reports are required for actions to non-DoD agencies that require D&Fs or documentation under MAPS 17.503(a) or (f). The reports shall be retained in electronic format for at least two years following completion of the resultant contract/order, and be available for transmission to higher authority upon request.

(f) Direct Acquisitions

(1) Direct acquisitions of supplies and services greater than \$100,000 and less than \$1M. Pursuant to paragraph 5 of the DoN Guidelines for Proper Use of Non-DoD Contracts (14 December 2004), a direct acquisition includes a task or delivery order placed by a Marine Corps Contracting Officer/Ordering Officer against a contract vehicle established outside of the DoD (e.g., federal civilian agencies to include their franchise funds). Direct acquisitions include optional use Federal Supply Schedules, Blanket Purchase Agreements issued against Federal Supply Schedules, and other contracts/schedules awarded outside the Marine Corps. Approvals for direct acquisitions may be documented using the outline and information in [Appendix M](#) or be documented directly in a Business Clearance Memorandum (BCM). If the BCM is utilized, all required information in paragraph 5 of the DoN Guidelines for Proper Use of Non-DoD Contracts (14 December 2004) must be included. Approval authority for direct acquisitions is the business clearance approval official.

(2) Direct acquisitions of supplies and services greater than \$1M. Approvals for direct acquisitions shall be documented using the outline and information in [Appendix L](#). Approval authority for direct acquisitions greater than \$1M is ADC, I&L (Contracts).

SUBPART 17.74—UNDEFINITIZED CONTRACT ACTIONS

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 17—Special Contracting Methods

17.7403 (DFARS) Policy

17.7403-100 Management of undefinitized contract actions (UCAs)

CCOs shall provide management oversight over all UCAs issued by Contracting Officers serving under the CCO's delegation of contract authority to ensure appropriate use, management attention to backlog, and establishment/adherence to definitization schedules.

17.7404 Limitations

17.7404-1 (DFARS) Authorization

(a) Approval authority for UCAs, including change orders under the Changes clause, undefinitized task/delivery orders, and letter contracts, shall be as follows:

(1) UCAs less than \$1,000,000, authority is delegated to the CCO.

(2) UCAs in an amount greater than \$1,000,000 shall be forwarded to ADC, I&L (Contracts) for approval.

(b) A not-to-exceed (NTE) ceiling price shall be established for each UCA. This NTE ceiling price may be adjusted by modification during performance if circumstances warrant, but shall not be exceeded at definitization. See MAPS 43.201 for application to change orders.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 18—Reserved

RESERVED

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 19—Small Business Programs

SUBPART 19.2—POLICIES

19.201 General policy

(a) A full-time or part-time Deputy for Small Business shall be appointed at all Marine Corps contracting offices with contracting authority of \$10,000 or more per SECNAVINST 4380.8. The individual must meet the qualification requirements provided by SECNAVINST 4380.8 and be approved by the HQMC Associate Director of Small Business (ADSB).

(b) Based on small and disadvantaged program targets assigned to the Marine Corps by the Secretary of the Navy's Director, Small and Disadvantaged Business Utilization (SADBU), the HQMC ADSB shall establish specific target assignments for DC, I&L field contracting offices.

(c) All FAR and DFARS requirements requiring HCA or OSN SADBU review or decision that may impact small and disadvantaged business programs shall be coordinated with the HQMC ADSB.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 20—Reserved

RESERVED

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 21—Reserved

RESERVED

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 22—Application of Labor Laws to Government Acquisitions

SUBPART 22.1—BASIC LABOR POLICIES

22.101 (DFARS) Labor relations

Contracting Officers shall consult with the DoN Labor Advisor for all labor relation actions identified in DFARS Part 222, as supplemented. The DoN Labor Advisor is located in the office of the DASN (ACQ). Contact information for this advisor is included in the MAPS Policy section of K-21.

22.103 Overtime

22.103-4 Approvals

The CCO is the designated agency approving official.

SUBPART 22.10—SERVICE CONTRACT ACT OF 1965, AS AMENDED

22.1002 Statutory requirements

Service Contract Act wage determinations and related contract labor information may be accessed online at <http://www.wdol.gov>. Further information about the WDOL.gov website and other online resources is included in the MAPS Policy section of K-21.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 23—Environment, Conservation, Occupational Safety, and Drug-Free Workplace

SUBPART 23.4—USE OF RECOVERED MATERIALS

23.404 (FAR) Agency affirmative procurement programs

Contracting Officers shall participate in the implementation and execution of their command's affirmative procurement program. Specific Marine Corps guidance is included in the latest editions of MCO P5090.2A and the DoN Affirmative Procurement Guide (NAVSUP P-728) available at

<https://www.denix.osd.mil/denix/Public/News/NAVSUP4C3/Programs/AffirProc/apguide0702.pdf>.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 24—Freedom of Information Act

SUBPART 24.2—FREEDOM OF INFORMATION ACT

24.203 Policy

All FOIA requests shall be coordinated through the Command's FOIA Coordinator. Marine Corps implementation is in SECNAVINST 5720.42F. Marine Corps FOIA On-Line (<http://www.hqmc.usmc.mil/foia/foiaweb.nsf>) provides general information about the U.S. Marine Corps FOIA Program and answers some basic questions frequently asked by the public.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 25—Foreign Acquisitions

SUBPART 25.1—BUY AMERICAN ACT—SUPPLIES

25.103 (DFARS) Exceptions

(a) *Public interest.*

(ii) (B) A determination whether to grant a public interest exception shall be made after consideration of the factors in 10 U.S.C. 2533—

(1) By the CCO for acquisitions valued at or less than the simplified acquisition threshold. This authority may not be redelegated.

(2) By ADC, I&L (Contracts) for acquisitions with a value greater than the simplified acquisition threshold but less than \$1,000,000.

(b) *Nonavailability.*

(ii) The determination must be approved—

(B) By the CCO for acquisitions with a value greater than the simplified acquisition threshold but less than \$1,000,000. This authority may not be redelegated.

(C) By DC, I&L or ADC, I&L (Contracts) for acquisitions greater than \$1,000,000.

SUBPART 25.70—AUTHORIZATION ACTS, APPROPRIATIONS ACTS, AND OTHER STATUTORY RESTRICTIONS ON FOREIGN ACQUISITION

25.7002 (DFARS) Restrictions on food, clothing, fabrics, specialty metals, and hand or measuring tools. (No Text)

25.7002-2 (DFARS) Exceptions

(b) If the Contracting Officer determines, through market research, that an article or suitable substitute is not available from a domestic source, the Contracting Officer shall contact ADC, I&L (Contracts). ADC, I&L (Contracts) will confer with the Department of Commerce (DOC) and request a list of possible domestic sources. Upon notification from ADC, I&L (Contracts) that DOC has not identified domestic source(s), the Contracting Officer shall submit a determination and findings, including the market research report, to ADC, I&L (Contracts). The authority of the Secretary of the Navy to make determinations in accordance with [DFARS 225.7002-2](#) is not delegable.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 26—Other Socioeconomic Programs

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 27—Patents, Data, and Copyrights

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 28—Bonds and Insurance

SUBPART 28.1—BONDS AND OTHER FINANCIAL PROTECTIONS

28.103 Performance and payment bonds for other than construction contracts

28.103-1 General

Performance and/or payment bonds for contracts other than construction will not be used without the prior approval of ADC, I&L (Contracts).

28.105 (FAR) Other types of bonds

ADC, I&L (Contracts) may approve using other types of bonds in connection with acquiring particular supplies or services.

28.106 (FAR) Administration

28.106-2 Substitution of surety bonds

ADC, I&L (Contracts) approval is required prior to substituting the original bond with a new surety bond covering all or part of the obligations on the previously approved surety bond.

SUBPART 28.2—SURETIES AND OTHER SECURITY FOR BONDS

28.203 Acceptability of individual sureties

The Contracting Officer shall submit documentation in support of individuals proposed as individual sureties to CL field Counsel for review prior to making a determination of acceptability.

SUBPART 28.3—INSURANCE

28.306 (FAR) Insurance under fixed-price contracts

(a) Contractors shall not be required to provide insurance coverage on Government-owned/furnished equipment and materials without CCO approval. This authority may not be redelegated.

(b) Contracts requiring work on Government property and which include transportation or transportation-related services shall specify insurance coverage as required by state and local laws or by FAR 28.307-2, whichever results in higher coverage. On a case-by-case basis, Level III and IV Contracting Officers are authorized to specify higher coverage.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 29—Taxes

SUBPART 29.3—STATE AND LOCAL TAXES

29.302 Application of state and local taxes to the Government

(a) If the Federal Government's exemption from state and local taxes cannot otherwise be readily obtained, and it is economically feasible to do so, the Contracting Officer may utilize SF 1094, U.S. Tax Exemption Form to seek tax exemption. The Contracting Officer is the authority to determine whether or not it is cost effective to issue a SF 1094; however, the form should not be used when the amount of state or local tax is \$10 or less.

(b) The GCPC has the phrase "U.S. Government Tax Exempt" printed on the front of each purchase card, and should be cited whenever the card is used for purchase or payment to help ensure that sales taxes are not charged.

(c) Whether any specific purchase or lease is immune from state and local taxation is a legal question and should be referred to CL field Counsel for advice and assistance.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 30—Cost Accounting Standards Administration

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 31—Contract Cost Principles and Procedures

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 32—Contract Financing

SUBPART 32.6—CONTRACT DEBT

32.610 Demand for payment of contract debt

(a) Payments made as a consequence of a contract debt arising from a default termination/overpayment should only be made by check payable to the “Accounting and Finance Officer” and forwarded to the Disbursing Office, Defense Finance and Accounting Service, Kansas City Center/ADDC, 1500 E. 95th Street, Kansas City, MO 64197-0001.

(b) Whenever a Contracting Officer renders a final decision that results in a contractor being contractually indebted to the Government, the Contracting Officer should simultaneously issue a demand letter to the contractor, with a copy to the appropriate finance office. The demand letter should be issued in all such cases, irrespective of any action taken or planned by the contractor to appeal the Contracting Officer’s decision.

(c) If a contractor is indebted to the U.S. Government and there are invoices awaiting payment in the Vendor Pay office, on day 31, the Accounts Receivable Office (ARO) will notify the Vendor Pay office of any receivable for which repayment has not been received to initiate offset for the overpayments. The Vendor Pay office will then offset invoices currently in house. A comment will appear on the payment/disbursing voucher to indicate the offset action for the contractor’s reference.

(d) Contractor requests for installments or deferments in payment should be made to the Contracting Officer. The recipient office shall forward requests for deferment or installments of contract debts to the CCO. The CCO shall submit, on a priority basis, an evaluation of the contractor’s proposal with the necessary reporting information recommendation to ADC, I&L (Contracts) for forwarding to the Assistant Secretary of the Navy (Financial Management & Comptroller) via DASN (ACQ). If installments or deferments in payment have been approved by authorities involved, the CCO should forward this information to the appropriate finance office.

(e) Vendor Pay and the Accounts Receivable Office will refer uncollected receivables to the Debt Management Office no later than 91 days from the original date of the bill. Collecting delinquent contract debts is the responsibility of DFAS-Columbus, Debt Management Office (DFAS-BVDW).

SUBPART 32.7—CONTRACT FUNDING

32.702 Policy

Based on customer and project history, Contracting Officers may use their own discretion in requiring either a commitment of funds or actual funds in hand before issuing solicitations or requests for proposals (RFPs) for delivery/task orders or modifications. The Program/Project Manager remains responsible for validation of funds availability and communicating this to the Contracting Officer.

32.703 Contract funding requirements

32.703-1 (DFARS) General

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 32—Contract Financing

If required, ADC, I&L (Contracts) may approve the use of incremental funding for either base services contracts or hazardous/toxic waste remediation contracts.

SUBPART 32.70—ELECTRONIC SUBMISSION AND PROCESSING OF PAYMENT REQUESTS

32.7003 (DFARS) Procedures

(a) The Marine Corps standard electronic means for transmission of payment information by all parties (contractor, payment office, contract administration office) is Wide Area WorkFlow-Receipt and Acceptance (WAWF-RA) (see website - <https://wawf.eb.mil>).

(b) All Marine Corps solicitations and contracts will contain the standard clause found at MAPS 52.232-9650 that addresses the requirement to use Wide Area WorkFlow-Receipt and Acceptance.

(c) If the contractor or offeror objects to the use of the WAWF-RA electronic form, the Contracting Officer may authorize, on a case-by-case basis, the use of another electronic form as specified in DFARS 252.232-7003(b).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 33—Protests, Disputes, and Appeals

SUBPART 33.1—PROTESTS

33.103 (NMCARS) Protests to the agency

(a) All agency-level protests received by Marine Corps contracting offices shall be subject to review and resolution by the Contracting Officer.

(b) When an interested party requests an independent review of its protest at a level above the Contracting Officer, the Contracting Officer must submit the protest and the applicable documents described in FAR 33.104(3)(ii)-(iv) to the CCO for resolution.

(c) Protests received at field contracting offices that are not designated as regional offices shall be reviewed and resolved by the CCO overseeing that office.

(d) Where a CCO is the Contracting Officer and the protester seeks review one level above the Contracting Officer, the matter will be forwarded to LB for resolution.

(e) Proposed contract protest decisions by Contracting Officers must be reviewed by CL field Counsel prior to issuance.

(f) Reporting requirements. CCOs shall maintain a log of all agency protests and their resolution. An annual report shall be submitted to LB by 30 October for the previous fiscal year. Negative replies are also required. See [Appendix N](#) for report format and content.

33.104 (FAR/NMCARS) Protests to the Government Accountability Office (GAO)

(a) CL serves as the contact point for GAO protests.

(b) CL field Counsel provides legal support to the contracting office that receives a protest. CL field Counsel, with input from the Contracting Officer, will prepare the agency administrative report in response to the protest. The proposed reports to GAO and all accompanying documents must be submitted by the Contracting Officer to the Associate Counsel for the Commandant (Procurement and Fiscal Law) via the appropriate CL field Counsel at least five calendar days before the report is due at GAO.

(c) CL field Counsel must be consulted before paying a recommended award of costs under FAR 33.104(h)(6).

(d) ADC, I&L (Contracts) or designee shall consult with CL and DASN (ACQ) before any final decision is made not to implement a GAO recommendation.

(e) Reporting requirements. CCOs shall maintain a log of all GAO protests and their resolution. An annual report shall be submitted to LB by 30 October for the previous fiscal year. Negative replies are also required. See [Appendix O](#) for report format and content.

SUBPART 33.2—DISPUTES AND APPEALS

33.203 (NMCARS) Applicability

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 33—Protests, Disputes, and Appeals

ADC, I&L (Contracts) is delegated the authority to make the determination that the application of the Contract Disputes Act of 1978 does not apply to a particular contract as a matter of public interest. This may not be delegated.

33.211 Contracting Officer's decision

(a) Personnel who prepare memoranda or notes concerning a claim that is intended for legal counsel shall place a legend on each page as follows:

"ATTORNEY-CLIENT PRIVILEGE FOR OFFICIAL USE ONLY: This document is prepared for use by Government attorneys in connection with a contractor's claim. It is not to be released outside the Government or to Government personnel not having a need to know."

(b) When a Contracting Officer issues a final decision, a copy of that decision will be forwarded to ADC, I&L (Contracts) who in turn will provide that decision to the Office of General Counsel, Legal Services Support Group, Naval Litigation Office. The Associate Counsel for the Commandant (Procurement and Fiscal Law) will be advised of the matter.

33.214 Alternative dispute resolution (ADR)

(a) The Marine Corps encourages ADR as a means of resolving disputes.

(b) Information on the DoN ADR Program is available on the Internet at <http://adr.navy.mil>.

SUBPART 33.90—PROCEDURES

33.9001 (NMCARS) Claims approval requirements

(a) Proposed claim settlements and final decisions of the Contracting Officer shall be reviewed and approved—

(1) For claims less than \$1,000,000 by the CCO with CL field Counsel support.

(2) For claims greater than \$1,000,000 by ADC, I&L (Contracts) with CL support.

(b) For claims \$1,000,000 or greater, the CCO shall:

(1) Notify ADC, I&L (Contracts) within 10 calendar days of receipt of claim. Advise when ADC, I&L (Contracts) will receive the claim package and the Contracting Officer's projected final decision date. The projected final decision date shall include a sufficient amount of time for ADC, I&L (Contracts), CL, or higher level review and approval.

(2) Notify the contractor of the projected final decision date within 30 calendar days of claim receipt. The CCO shall notify the contractor, giving reasons for any changes to the original projected final decision date. The CCO shall provide copies of these letters to ADC, I&L (Contracts).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 33—Protests, Disputes, and Appeals

(3) Submit the claim package, including a draft final decision and the CL field Counsel legal memoranda, to ADC, I&L (Contracts).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 34—Major System Acquisition

SUBPART 34.0—GENERAL

34.003 (FAR/DFARS) Responsibilities

(a) The Marine Corps Systems Command (MARCORSYSCOM) is the contracting activity responsible for major system acquisition in the Marine Corps. As such, any needed procedure, guidance, or interpretation related to the acquisition of such systems, as defined in FAR Part 2, is provided by MARCORSYSCOM.

(b) If there is any doubt as to whether a certain procurement falls under the major system acquisition responsibility of MARCORSYSCOM, consult with LB for resolution of the matter.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 35—Research and Development Contracting

35.003 (FAR/DFARS) Policy

(a) MARCORSYSCOM is the contracting activity responsible for research and development (R&D) contracting within the Marine Corps. Any needed procedure, guidance, or interpretation related to the acquisition of R&D, as defined in DFARS 235.001, is provided by MARCORSYSCOM.

(b) MARCORSYSCOM has been delegated authority to execute grants, cooperative agreements, and “other transactions” for the Marine Corps by ASN (RD&A).

(c) If there is any doubt as to whether a certain procurement falls under the R&D contracting responsibility of MARCORSYSCOM, consult with LB for resolution of the matter.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 36—Construction and Architect-Engineer Contracts

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 37—Service Contracting

SUBPART 37.1—SERVICE CONTRACTS—GENERAL

37.104 (FAR/DFARS) Personal service contracts

The determination to acquire a personal services contract for expert and consultant services shall be reviewed by CL field Counsel and approved by a Contracting Officer one level higher than the executing Contracting Officer.

37.170-3 (NMCARS) Approval requirements

HCA-established review and approval requirements and thresholds are published and included in the K-21 Contracting Policy, “Services” Library.

SUBPART 37.2—ADVISORY AND ASSISTANCE SERVICES

37.204 (FAR/NMCARS) Guidelines for determining availability of personnel

ADC, I&L (Contracts) may determine that personnel with the required training and capabilities needed to conduct evaluations or analyses of any aspect of proposals for an initial contract award are not readily available within the agency or other federal agencies.

37.272 (DFARS) Requesting activity responsibilities

Prior to contracting for advisory and assistance services or consulting services (CS), the Contracting Officer shall ensure that the approval required by DFARS 237.272 has been obtained by the requesting activity.

SUBPART 37.5—MANAGEMENT OVERSIGHT OF SERVICE CONTRACTS

37.503 (NMCARS) Agency-head responsibilities

HCA implementing procedures are found at [Appendix P](#) and included in the K-21 Contracting Policy, “Services” Library.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 38—Federal Supply Schedule Contracting

RESERVED

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 39—Acquisition of Information Technology

39.001 (NMCARS) Applicability

In order to ensure effective implementation of the Navy-Marine Corps Intranet (NMCI) contract, all Contracting Officers shall comply with the guidance contained in ASN (RD&A) memorandum dated October 18, 2002, subj: "Information Technology-Related Procurements," which requires review of all prospective information technology procurements in excess of \$25,000 up to and including \$1,000,000 (over the life of the contract), including orders to be placed on existing contracts. Referenced memorandum is posted on the K-21 website under the Contracting Policy, "NMCI" Library.

SUBPART 39.1—GENERAL

39.101 Policy

(a) All computer hardware and operating system software within the Marine Corps must be purchased from the acquisition vehicles listed on the Marine Corps Common Hardware Suite (MCHS) website at <http://mchs.marcorsyscom.usmc.mil/>, unless appropriately waived. Marine Corps-unique policies and waiver procedures relating to the procurement of information technology are also posted on that website.

(b) If GSA is used as a servicing agency for procurement of information technology, a D&F will be prepared in accordance with MAPS 17.503(a) using MAPS [Appendix L](#).

(c) Questions regarding the proper procurement authority procedures for information technology acquisitions may be directed to LBP.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 40—Reserved

RESERVED

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 41—Acquisition of Utility Services

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 42—Contract Administration

SUBPART 42.1—CONTRACT AUDIT SERVICES

42.191 (NMCARS) Audit resolution and disposition

- (a) Submit reports describing resolution of contract audit reports to LBPO via the appropriate CCO no later than six months after the corresponding audit report date.
- (b) Submit semiannual contract audit follow-up status report required by DoD Directive 7640.2 to LBPO via the appropriate CCO to arrive at LBPO no later than ten calendar days after the end of the 31 March and 30 September reporting periods.

SUBPART 42.2—CONTRACT ADMINISTRATION SERVICES

42.202 Assignment of contract administration

42.202-100 Contracting Officer's Representatives

See MAPS Part 1 for appointment and responsibilities of CORs and ordering officers.

SUBPART 42.4—CORRESPONDENCE AND VISITS

42.402-100 Contractor visits to or performance on Marine Corps installations

Contracting Officers and installation commanders shall consider the DC, I&L “Guidance Concerning the Contracted Workforce on Marine Corps Installations” and its attendant suggested Installation Security Access Guidelines for contractor employees including those employed by Public/Private Ventures. This information is published and included in the K-21 Contracting Policy, “General Policy” Library.

SUBPART 42.15—CONTRACTOR PERFORMANCE INFORMATION

42.1503 (FAR/NMCARS) Procedures

42.1503-100 Preparation and use of contractor performance evaluation reports

(a) General. Collection of contractor performance information and submission of performance evaluation reports are required for acquisitions in specific business sectors (e.g., systems, services) that exceed the dollar threshold for that sector. The description of the business sectors and dollar thresholds are specified in the DoN Contractor Performance Assessment Reporting System (CPARS) Guide included in the “Reference Material” section of the CPARS website at <http://cpars.navy.mil>. Both requirements and contracting personnel have responsibilities under the CPARS procedure.

(b) Preparation and distribution of performance reports.

(1) Performance evaluation reports shall be prepared and submitted using the CPARS on-line database, following the procedures in the DoN CPARS Guide. Access instructions and log-on procedures for the CPARS database at <http://cpars.navy.mil> can be obtained by contacting the LBPP CPARS Focal Point.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 42—Contract Administration

(2) Include a copy of the report in the official contract file.

(3) For orders placed against contracts or ordering agreements (e.g., provisioned items orders, task orders, and orders under indefinite-delivery or indefinite-quantity type contracts), a Level III Contracting Officer should decide whether to assess the contractor's performance on an order-by-order or "total" contract/agreement basis. In either case, the assessment procedures to be followed should be specified in the basic contract or agreement, particularly when other buying activities may also place orders against those instruments.

(4) All contract actions and/or task/delivery orders that require performance reports shall be registered in CPARS no later than 30 days after award/execution of contract.

(5) All contracts and task/delivery orders terminated for default, regardless of dollar amount, shall be registered unless otherwise exempted.

(c) Below average performance evaluations. Any disagreements between parties shall be reviewed at a level above the Contracting Officer.

(d) Access to and use of performance reports.

(1) The Past Performance Information Retrieval System (PPIRS) (<http://www.ppirs.gov/>) is a web-enabled, Government-wide application that provides timely and pertinent contractor past performance information to the federal acquisition community for use in making source selection decisions.

(2) Access instructions and log-on procedures for the PPIRS database at <http://www.ppirs.gov/> can be obtained by contacting the LBPP PPIRS Focal Point.

SUBPART 42.71—VOLUNTARY REFUNDS

42.7101 (DFARS) Solicited refunds

The CCO is delegated authority to approve the solicitation of voluntary refunds. CL field Counsel will be consulted on this matter. This authority cannot be delegated.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 43—Contract Modifications

SUBPART 43.1—GENERAL

43.102 Policy

43.102-100 Execution of contract modifications

(a) Bilateral modifications shall not be signed by the Government until after signature by the contractor. If the contractor places conditions on the modification, a written reply shall immediately be sent to the contractor stating that the Government will not execute the modification as returned and will treat it as null and void.

(b) All supplemental agreements shall include a release statement similar to that found at FAR 43.204(c)(2) unless waived by the CCO.

(c) No lower than Level III Contracting Officer approval is required to ensure that any modification proposed will be within the scope of the original contract.

SUBPART 43.2—CHANGE ORDERS

43.201 (NMCARS) General

(a) See DFARS 217.74 and MAPS 17.74 for policy and procedures for undefinitized contract actions.

(b) A written determination shall be made by the CCO when the requirement for inclusion of a not-to-exceed price on change orders is waived.

43.201-100 Policy

Negotiate in advance the cost and time associated with all contract changes except in unusual circumstances where it is not possible as a consequence of the character of the changed work.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 44—Subcontracting Policies and Procedures

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 45—Government Property

SUBPART 45.6—REPORTING, REDISTRIBUTION, AND DISPOSAL OF CONTRACTOR INVENTORY

45.609 (FAR/DFARS) Donations

45.609-100 Marine Corps policies and procedures affecting Government personal property

(a) MCO P10150.1, “Garrison Property Policy Manual” prescribes the policy and procedures governing the acquisition, management, and control of garrison property used at Marine Corps bases, air stations, districts, and other independent commands. Garrison property is Government personal property used to support the operation of a Marine Corps installation and its tenant activities.

(b) The procedures of MCO P10150.1 and the Defense Reutilization and Marketing Service (DRMS) (<http://www.drms.dla.mil/>) shall be followed in the disposal or donation of Marine Corps Government personal property.

SUBPART 45.70—APPOINTMENT OF PROPERTY ADMINISTRATORS AND PLANT CLEARANCE OFFICERS

45.7001 (DFARS) Selection, appointment, and termination

(a) The Contracting Officer shall designate a property administrator for each contract involving Government property furnished to or acquired by the contractor.

(b) All property administrators shall attend the DoD training course for property administrators. Contracting Officers shall obtain assurance from customers that properly trained property administrators (if required) will be available prior to the issuance of any solicitation for customer requirements.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 46—Quality Assurance

SUBPART 46.7—WARRANTIES

46.7-100 Enforcement of warranties after final acceptance

In those instances where the Government requires warranty work, the requiring activity shall notify the Contracting Officer, who will ensure that the contractor performs the warranty work in accordance with the terms of the contract.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 47—Transportation

NO MAPS TEXT

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 48—Value Engineering

SUBPART 48.1—POLICIES AND PROCEDURES

48.103 (NMCARS) Processing value engineering change proposals

The CCO is responsible for ensuring that value engineering change proposals (VECPs) are processed and evaluated consistent with the requirements of FAR Part 48.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 49—Termination of Contracts

SUBPART 49.1—GENERAL PRINCIPLES

49.101 Authorities and responsibilities

(a) Before any Contracting Officer terminates a contract for convenience or default, written notification shall be made to ADC, I&L (Contracts).

(b) Contracting Officers shall not terminate for convenience or default any contract with a small business firm to whom a Certificate of Competency was issued, or to whom loans were made with the Small Business Administration's (SBA's) participation, without prior written approval of ADC, I&L (Contracts).

(c) Terminate contracts resulting from MIPRs in accordance with DFARS 208.7004-6 and 208.7004-7.

49.101-100 Reporting requirements

A log shall be kept of all contracts terminated. These termination actions will be reported annually as outlined in [Appendix Q](#).

49.107 (FAR) Audit of prime contract settlement proposals and subcontract settlements

Within five calendar days after receipt from the contractor, send all settlement proposals electronically to the responsible audit office, including inventory and accounting information and related documents.

SUBPART 49.3—ADDITIONAL PRINCIPLES FOR COST-REIMBURSEMENT CONTRACTS TERMINATED FOR CONVENIENCE

49.301 General

Contracting Officers should not terminate any contract for convenience if the contractor is in default and the Government has a legal right to terminate for default, even if the Government's requirements for performance no longer exist. This prohibition does not preclude a no-cost termination settlement agreement as provided for at FAR 49.402-4(c).

SUBPART 49.70—SPECIAL TERMINATION REQUIREMENTS

49.7001 (DFARS) Congressional notification on significant contract terminations

The Contracting Officer shall send the clearance request to release information about a proposed termination to the Chief of Legislative Affairs (OLA-N) via DC, I&L (Contracts).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 50—Extraordinary Contractual Actions

SUBPART 50.1—GENERAL

50.105 (DFARS/NMCARS) Records

The Contracting Officer is responsible for preparing, submitting, and receiving all records unless otherwise directed. All records forwarded to DASN (ACQ) shall be sent via the cognizant CCO, CL field Counsel, and ADC, I&L (Contracts).

SUBPART 50.2—DELEGATION OF AND LIMITATIONS ON EXERCISE OF AUTHORITY

50.201 Delegation of authority

50.201-70 (NMCARS) Delegations

(a) ADC, I&L (Contracts) may exercise and redelegate the authority contained in the Act and Executive Order and as delegated by DFARS 250.201(b) and NMCARS 5250.201-70.

(b) ADC, I&L (Contracts) may deny any request, regardless of dollar value.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 51—Use of Government Sources by Contractors

SUBPART 51.1—CONTRACTOR USE OF GOVERNMENT SUPPLY SOURCES

51.101 (FAR) Policy

51.101-100 Marine Corps depots

Marine Corps depots may seek delegations of authority to sell goods and services to others (10 U.S.C. 2474, 2563) and act as a subcontractor on Department of Defense contracts (10 U.S.C. 2208). This delegation of authority would be from DASN (ACQ). All such requests shall be processed through ADC, I&L (Contracts). Cognizant contracting personnel should be involved in the planning, execution, and administration of transactions pursuant to the aforementioned authorities.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 52—Solicitation Provisions and Contract Clauses

SUBPART 52.2—TEXTS OF PROVISIONS AND CLAUSES

52.200 Scope of subpart

This subpart sets forth the texts of all Marine Corps standard provisions and clauses.

52.232.9650 Wide Area WorkFlow-Receipt and Acceptance

As prescribed in MAPS 32.7003(b), insert the following clause:

USMC WIDE AREA WORKFLOW IMPLEMENTATION (DEC 2004)

To implement DFARS 252.232-7003, "ELECTRONIC SUBMISSION OF PAYMENT REQUESTS (JAN 2004)," the United States Marine Corps (USMC) utilizes Wide Area WorkFlow-Receipt and Acceptance (WAWF-RA) to electronically process vendor requests for payment. This application allows DoD vendors to submit and track Invoices and Receipt/Acceptance documents electronically. The contractor is required to utilize this system when processing invoices and receiving reports under this contract/order, unless the provision at DFARS 252.232-7003(c) applies. The contractor shall (i) register to use WAWF-RA at <https://rmb.ogden.disa.mil>, and (ii) ensure an electronic business point of contact (POC) is designated in the Central Contractor Registration site at <http://www.ccr.gov> within ten (10) calendar days after award of this contract/order. The USMC WAWF-RA POC for this contract/order is: _____, telephone_____.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Part 53—Forms

SUBPART 53.2—PRESCRIPTION OF FORMS

53.200 Scope of subpart

The FAR/DFARS/NMCARS and MAPS prescribe forms for use in acquisition. Copies of Standard, Optional, and DoD forms may be obtained from the following websites:

U.S. Government Electronic Library of GSA, Standard, and Optional Forms
<http://www.gsa.gov/forms/>

DoD Electronic Forms
<http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm>

SUBPART 53.3—ILLUSTRATION OF FORMS

RESERVED

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix A—Marine Corps Contracting Office AORs

| ACTIVITY | AREA OF RESPONSIBILITY | PRIMARY SUPPORTING COUNSEL | COMMENTS |
|--|--|---|--|
| MARINE CORPS REGIONAL CONTRACTING OFFICE FAR EAST MCB CAMP SMEDLEY D. BUTLER OKINAWA JA | (1) MCB CAMP SMEDLEY D. BUTLER (2) PPMAP & KO APPOINTMENTS FOR MCAS IWAKUNI, CKO 3D FSSG (WHILE IN GARRISON) | PACIFIC AREA COUNSEL'S OFFICE (PACO) MCB CAMP SMEDLEY D. BUTLER | |
| MARINE CORPS REGIONAL CONTRACTING OFFICE SOUTHEAST MCB CAMP LEJEUNE CAMP LEJEUNE NC | (1) MCB CAMP LEJEUNE (2) PPMAP & KO APPOINTMENTS FOR CKO 2D FSSG (WHILE IN GARRISON) (3) ALL MARINE CORPS UNITS NOT OTHERWISE IDENTIFIED IN THE STATES OF AL, FL, GA, NC, SC | EASTERN AREA COUNSEL'S OFFICE (EACO) MCB CAMP LEJEUNE | |
| MARINE CORPS REGIONAL CONTRACTING OFFICE SOUTHWEST MCB CAMP PENDLETON OCEANSIDE CA | (1) MCB CAMP PENDLETON (2) PPMAP & KO APPOINTMENTS FOR MCAS YUMA, MCAS MIRAMAR, MCLB BARSTOW, MARINE CORPS DISTRICT HEADQUARTERS (8TH, 9TH, 12TH), ALL RECRUITING STATIONS WEST OF THE MISSISSIPPI RIVER, MCMWTC BRIDGEPORT, CKO 1ST FSSG (WHILE IN GARRISON) (3) ALL MARINE CORPS UNITS NOT OTHERWISE IDENTIFIED IN THE STATES OF AK, AZ, CA, CO, ID, MT, ND, NE, NM, NV, OR, SD, UT, WA, WY | WESTERN AREA COUNSEL'S OFFICE (WACO) MCB CAMP PENDLETON | |
| MARINE CORPS REGIONAL CONTRACTING OFFICE NORTHEAST MCB QUANTICO QUANTICO VA | (1) MCCDC/MCB QUANTICO (2) PPMAP & KO APPOINTMENTS FOR MARFORLANT NORFOLK (3) ALL HQMC, MARINE BARRACKS 8TH & I, HQS BATTALION HENDERSON HALL, ALL MARINE CORPS UNITS NOT OTHERWISE IDENTIFIED IN DC AND IN THE STATES OF VA, PA, MA, WV, NJ, NY, CT, NH, MD, ME, DE, RI, VT | MCCDC/MCB QUANTICO COUNSEL | RCO NORTHEAST WILL MANAGE THE GCPC FOR CBIRF 4TH MEB |

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix A—Marine Corps Contracting Office AORs

| ACTIVITY | AREA OF RESPONSIBILITY | PRIMARY SUPPORTING COUNSEL | COMMENTS |
|---|---|-----------------------------------|----------|
| MARINE CORPS REGIONAL CONTRACTING OFFICE MARINE CORPS RECRUIT DEPOT PARRIS ISLAND EASTERN RECRUITING REGION PARRIS ISLAND SC | (1) MCRD ERR PARRIS ISLAND (2) MARINE CORPS DISTRICT HEADQUARTERS (1ST, 4TH, 6TH), ALL RECRUITING STATIONS EAST OF THE MISSISSIPPI RIVER | EACO | |
| MARINE CORPS REGIONAL CONTRACTING OFFICE MIDWEST MARINE CORPS MOBILIZATION COMMAND KANSAS CITY KANSAS CITY MO | (1) KANSAS CITY METRO AREA (2) ALL MARINE CORPS UNITS NOT OTHERWISE IDENTIFIED IN THE STATES OF AR, IA, IL, IN, KS, KY, LA, MI, MN, MO, MS, OH, OK, TN, TX, WI | DFAS KANSAS CITY COUNSEL PER MOA | |
| MARINE CORPS REGIONAL CONTRACTING OFFICE MARINE FORCES RESERVE NEW ORLEANS LA | (1) ALL MARINE RESERVE FORCES (2) ALL SUBORDINATE RESERVE UNITS OF COMMARFORRES (I.E., I&I'S, RESERVE SQUADRONS) | COMMARFORRES COUNSEL, NEW ORLEANS | |
| MARINE CORPS REGIONAL CONTRACTING OFFICE MARINE CORPS AIR BASES EAST MCAS CHERRY POINT CHERRY POINT NC | (1) MCAS CHERRY POINT (2) PPMAP & KO APPOINTMENTS FOR MCAS BEAUFORT, MCAS NEW RIVER, MCAF QUANTICO | EACO | |
| MARINE CORPS REGIONAL CONTRACTING OFFICE MARINE CORPS BASE HAWAII KANEHOE BAY HI | (1) MCBH KANEHOE BAY (2) PPMAP & KO APPOINTMENTS FOR CAMP H.M. SMITH (3) ALL MARINE CORPS UNITS NOT OTHERWISE IDENTIFIED IN THE STATE OF HI AND PACIFIC ISLANDS | WACO | |
| MARINE CORPS REGIONAL CONTRACTING OFFICE MAGTFTC TWENTYNINE PALMS TWENTYNINE PALMS CA | (1) MAGTFTC TWENTYNINE PALMS | WACO | |

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix A—Marine Corps Contracting Office AORs

| ACTIVITY | AREA OF RESPONSIBILITY | PRIMARY SUPPORTING COUNSEL | COMMENTS |
|---|-------------------------------------|---|----------|
| MARINE CORPS CONTRACTING OFFICE MARINE CORPS AIR STATION MIRAMAR SAN DIEGO CA | (1) MCAS MIRAMAR | WACO | |
| MARINE CORPS CONTRACTING OFFICE MARINE CORPS AIR STATION YUMA YUMA AZ | (1) MCAS YUMA | WACO | |
| MARINE CORPS CONTRACTING OFFICE MARINE CORPS AIR STATION IWAKUNI IWAKUNI JA | (1) MCAS IWAKUNI | PACO | |
| MARINE CORPS CONTRACTING OFFICE CAMP H.M. SMITH HI | (1) CAMP H.M. SMITH | WACO | |
| MARINE CORPS CONTRACTING OFFICE MARINE CORPS AIR STATION BEAUFORT BEAUFORT SC | (1) MCAS BEAUFORT | EACO | |
| MARINE CORPS CONTRACTING OFFICE CBIRF, 4TH MEB INDIAN HEAD MD | (1) 4TH MEB | MCCDC/MCB QUANTICO COUNSEL (IF MARCORSYSCOM OR MCLB ALBANY PROVIDE THE CONTRACTING SUPPORT, THE APPROPRIATE CL FIELD COUNSEL WILL PROVIDE LEGAL SUPPORT) | |
| MARINE CORPS CONTRACTING OFFICE COMMANDER US MARINE FORCES ATLANTIC NORFOLK VA | (1) NORFOLK/TIDEWATER BASIN AREA | EACO | |

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix A—Marine Corps Contracting Office AORs

| ACTIVITY | AREA OF RESPONSIBILITY | PRIMARY SUPPORTING COUNSEL | COMMENTS |
|---|---|----------------------------|--|
| MARINE CORPS AIR FACILITY QUANTICO QUANTICO VA | (1) MCAF QUANTICO | MCCDC/MCB QUANTICO COUNSEL | |
| MARINE CORPS CONTRACTING OFFICE HQ FMF EUROPE | (1) FMF EUROPE | NRCC NAPLES COUNSEL | |
| CONTRACTING OFFICE MARINE CORPS MOUNTAIN WARFARE TRAINING CENTER (MCMWTC) BRIDGEPORT BRIDGEPORT CA | (1) MCMWTC BRIDGEPORT | WACO | |
| HQ US MARINE CORPS FORCES SOUTH MIAMI FL | (1) HQ MARINE FORCES SOUTH | EACO | |
| CONTINGENCY CONTRACTING OFFICE 1ST FSSG OCEANSIDE CA | (1) 1ST FSSG (WHEN DEPLOYED) | WACO | UNLIMITED WARRANT ISSUED BY HQMC EFFECTIVE WHILE DEPLOYED ONLY |
| CONTINGENCY CONTRACTING OFFICE 2D FSSG CAMP LEJEUNE NC | (1) 2D FSSG (WHEN DEPLOYED) (2) CBIRF 4TH MEB (WHEN DEPLOYED) | EACO | UNLIMITED WARRANT ISSUED BY HQMC EFFECTIVE WHILE DEPLOYED ONLY |
| CONTINGENCY CONTRACTING OFFICE 3D FSSG OKINAWA JA | (1) 3D FSSG (WHEN DEPLOYED) (2) III MEF (3) MARFORPAC | PACO | UNLIMITED WARRANT ISSUED BY HQMC EFFECTIVE WHILE DEPLOYED ONLY |
| CONTRACTING OFFICE CG II MEF CAMP LEJEUNE NC | (1) II MEF | EACO | |
| MARINE CORPS LOGISTICS COMMAND MARINE CORPS LOGISTICS BASE ALBANY GA | (1) MCLB ALBANY (2) PPMAP & ALL WARRANTS FOR MCLB ALBANY, BIC, CBIRF 4TH MEB (WHILE IN GARRISON) | MCLB ALBANY COUNSEL | |

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix A—Marine Corps Contracting Office AORs

| ACTIVITY | AREA OF RESPONSIBILITY | PRIMARY SUPPORTING COUNSEL | COMMENTS |
|---|---|-----------------------------------|---|
| MARINE CORPS LOGISTICS COMMAND MARINE CORPS LOGISTICS BASE BARSTOW CA | (1) MCLB BARSTOW | MCLB BARSTOW COUNSEL | SEE ALSO MOU M00681- 04149-088 DATED 20 JUNE 2004 |
| MARINE CORPS LOGISTICS COMMAND BLOUNT ISLAND COMMAND JACKSONVILLE FL | (1) BIC | MCLB ALBANY COUNSEL | |
| MARINE CORPS SYSTEMS COMMAND MARCORSYSCOM QUANTICO VA | (1) MARCORSYSCOM (2) PPMAP & WARRANTS FOR MCTSSA | MARCORSYSCOM COUNSEL, QUANTICO | |
| MARINE CORPS SYSTEMS COMMAND MARINE CORPS TACTICAL SYSTEMS SUPPORT ACTIVITY (MCTSSA) CAMP PENDLETON CA | (1) MCTSSA CAMP PENDLETON | MCTSSA COUNSEL, CAMP PENDLETON | |

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix B—Marine Corps Warranting Requirements and Procedures

CONTRACTING OFFICER APPOINTMENTS

A. Qualification Requirements

1. The statutory qualification requirements to serve in an acquisition position as a Contracting Officer with authority to award or administer contracts for amounts above the simplified acquisition threshold are set forth below.

(a) Training. Completed all contracting courses required for the grade in which the employee or the military member is serving.

(b) Experience. At least two years of experience in a contracting position. The typical duties of a contracting position are provided in Appendix C of DoD 5000.52M, *Acquisition Career Development Program* (November 1995) http://www.dtic.mil/whs/directives/corres/pdf/500052mwch1_1195/p500052m.pdf. Career field descriptions can also be found in Chapter 3 of the Defense Acquisition University (DAU) catalog. Purchasing experience is not equivalent to contracting experience.

(c) Education. Received a baccalaureate degree from an accredited education institution and have completed at least 24 semester credit hours (or the equivalent) of study from an accredited institution in any of the following disciplines: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, and organization and management. Refer to the Director, Acquisition Career Management website at <http://dacm.secnav.navy.mil/> for a list of the types of courses that can be counted toward the 24 semester hours in business.

2. The qualification requirements discussed above do not apply to an employee or military member who served as a Contracting Officer with authority to award or administer contracts in excess of the simplified acquisition threshold on or before 30 September 2000, or served, on or before 30 September 2000, in a position in the GS-1102 series or military occupational equivalent.

B. Instructions

1. Information and templates to request a Contracting Officer appointment are also available in the Community Management section of the K-21 website. Requests for Contracting Officer appointments requiring ADC, I&L (Contracts) approval (i.e., unlimited Contracting Officer appointments, waivers, etc.) shall be made via the K-21 website at <https://k21.hqmc.usmc.mil>.

2. The request package for a Contracting Officer appointment must include the supporting documents listed below, as applicable, or it will be returned for further processing.

(a) Request letter from command, or waiver letter, as applicable.

(b) Completed Contracting Officer Appointment Checklist, signed by applicant (see instructions in paragraph 3 below).

(c) Resume (maximum length 4 pages). The example provided is a recommended format only. The resume at a minimum must include a description of each contracting position

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix B—Marine Corps Warranting Requirements and Procedures

held, education, relevant contracting and continuous learning training, and Defense Acquisition Workforce Improvement Act (DAWIA) certification level.

(d) Copy of DAU Acquisition Training History. Select “Review ACQ Training History” on the main menu of *Register-Now! for DAU Training* at <http://www.register-now.cms.navy.mil> and print.

(e) A certificate of training completion shall be included in the warrant request package for any DAU course that was completed but omitted from the Acquisition Training History. Or, a copy of Contracting career field certificate will serve as documentation that the required training was completed at the time of certification. Please see paragraph 5 below for further instructions.

(f) Copy of transcript(s) indicating baccalaureate degree obtained and/or 24 semester hours of business courses. Note: Transcripts are not required if already certified at any level under DAWIA in the Contracting career field.

(g) Copy of latest Continuous Learning certificate for the most recently completed two-year Continuous Learning anniversary period and/or a copy of transcript of Continuous Learning Training History. Select “Review CL Training History” on the main menu of *Register-Now! for Continuous Learning*.

3. The training identified in block 1 of the Contracting Officer Appointment Checklist, found later in this Appendix, is effective 01 October 2002 and is mandatory for Contract career field certification according to the appropriate grade level. The items identified in blocks 1 through 4 of the Contracting Officer Appointment Checklist are mandatory qualification requirements for Contracting Officer appointments above the simplified acquisition threshold (SAT). Training at a given level shall have been completed for the grade in which the individual is serving prior to requesting a Contracting Officer appointment above the SAT. A Contracting field-level certificate will serve as documentation that the mandatory training was completed at the time of certification. For example, an individual certified at Level I in the Contracting career field prior to 1 October 2002 has already met the mandatory training requirements, and any new training for Level I will not be required. The only exceptions to the mandatory requirements are listed in block 5 of the checklist. The exception at 5c, Contingency Contracting Force, is not available at this time, as it has not been implemented by OSD. If one or more of the mandatory requirements in blocks 1 through 4 have not been met, and the applicant is not certified at the appropriate grade level, and does not comply with one of the exceptions in block 5, a Contracting Officer appointment waiver must be completed, and block 6 shall be checked.

4. Waivers

(a) Requests for Contracting Officer appointment waivers are not required for appointments up to the SAT. Contracting Officer appointment waiver requests shall be forwarded up the chain of command to ADC, I&L (Contracts) for approval.

(b) A warrant waiver is only valid for the particular warrant for which it is granted and terminates when the warrant is terminated. The waiver is valid for as long as the person retains the same warrant.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix B—Marine Corps Warranting Requirements and Procedures

(c) A Contracting Officer appointment waiver cannot be granted unless the granting official certifies that the person has significant potential for advancement. The last paragraph of the waiver letter shall contain a justification for the waiver request citing specific reasons such as job performance, qualifying experience, etc., to support the justification. The waiver template provides the correct format for the justification and certification statement.

(d) Distribution (after approval)

(1) Waivers for civilians shall be forwarded to CMC, Code MMOA-3 for Defense Civilian Personnel Data System (DCPDS) entry and retention in a permanent personnel record.

(2) Waivers for military personnel shall be forwarded to CMC, Code MMOA-3 for entry into the Acquisition Workforce System of Management (AWSOM) database and retention.

5. The information contained in the Acquisition Training History is pulled directly from the Career Management System (CMS) database administered by the Army Training Requirements and Resources System (ATRRS) and serves as an official record for any DAWIA-related matters. It is the responsibility of the individual workforce member to ensure that the information in their acquisition training record is accurate, and therefore it should be reviewed periodically. Common errors or omissions include certification levels that are reflected as 0, or completed courses that are not listed. CMS downloads completed training from ATRRS approximately 10 days following the completion of a DAU class. Corrections to training information from ATRRS and DAWIA information from DCPDS (if you are a civilian) or AWSOM (for military members) can take a minimum of 60-90 days for any corrections to be posted. Omissions or errors can be corrected through Marine Corps Acquisition Workforce Development, MARCORSYSCOM. The points of contact are set forth below:

Acquisition Career Counselors:

Team 1 (A - K)

Ms. Angela M. Fields, Team Leader, (703) 784-0359; FieldsAM@mcsc.usmc.mil

- Ms. Jeanenne L. Griffin, Career Development Specialist (A - Do)
(703) 432-4457; GriffinJL@mcsc.usmc.mil
- Ms. Karen R. Powell, Career Development Specialist (Dp – K)
(703) 432-4456; PowellKR@mcsc.usmc.mil

Team 2 (L – Z)

Ms. Colleen L. Bryan, Team Leader, (703) 432-4496; BryanCL@mcsc.usmc.mil

- Ms. Patricia A. Brown, Career Development Specialist (L – RI)
(703) 432-4455; BrownPA@mcsc.usmc.mil
- Ms. Teresa A. Akers, Career Development Specialist (Rm – Z)
(703) 432-4458; AkersTA@mcsc.usmc.mil

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix B—Marine Corps Warranting Requirements and Procedures

6. Continuous Learning

(a) Effective 13 September 2002, the Under Secretary of Defense for Acquisition and Technology revised the Continuous Learning policy requiring that all acquisition workforce members must participate in meaningful Continuous Learning activities to stay current and proficient in functional disciplines. Each workforce member shall earn a minimum of 40 Continuous Learning points (CLP) every fiscal year as a goal, with 80 CLP being mandatory within two years. Priority shall be provided to certification training over other Continuous Learning activities. Marine Corps guidelines are provided in the *Marine Corps Policy Guidance on Continuous Learning for the Acquisition Workforce* dated 31 December 2002 and are posted in the Community Management section of K-21.

(b) *Register-Now! for Continuous Learning* is the Navy's system for Continuous Learning registration and tracking. The website provides a wide variety of technical, management, and leadership training activities from which to choose to meet the Continuous Learning requirement. By accessing the site, you can submit requests to register for DACM-sponsored activities, as well as keep track of the CLP already earned. CLP are provided following completion of a course evaluation and approval by your supervisor. After the point requirements have been met, a Department of the Navy Continuous Learning Certificate of Achievement will be sent via e-mail. There is no tuition for any of the activities listed on the website, but travel and per diem costs must be provided by your organization.

(c) Select "Status/Request CL Point" to submit a request for approval of CLP from your supervisor for activities that are locally funded training activities, experiential assignments, or professional activities. The OSD Point Guidelines are provided in a link on the main menu. Do not request approval of points earned by attending activities registered using *Register-Now!* This includes courses offered by DAU. Points in those activities were approved during the registration process and are automatically added to your official record in *Register-Now!*

7. To upload the Contracting Officer appointment request package onto the K-21 website:

(a) Scan each document into a .pdf format following the format of the table in subparagraph b below.

(b) Documents are uploaded into K-21 at the link located at the Warranting subject area under Community Management. Select name from the pull-down menu and input documents into the required fields as follows.

| Required Field | Document(s) to Upload in Field |
|-----------------------------|--|
| Letter from Command | Request for Contracting Officer Appointment or Request for Contracting Officer Appointment Waiver |
| Background/Prior Assignment | Contracting Officer Appointment Checklist, Resume, DAU Acquisition Training History, and Continuous Learning Certificate or Continuous Learning Training History |
| Certification Level | Any certificate of training for any course that was omitted from DAU Acquisition Training |

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix B—Marine Corps Warranting Requirements and Procedures

| | |
|----------------------|---|
| | History or Contracting career field certificate |
| Transcripts Enclosed | College transcripts (if transcripts are not required, select N from the pull-down menu) |
| Waiver Letter | Do not use this field |

(c) Once all information is linked, complete the upload of your warrant package using the Submit button.

C. Contact Information

Ms. Ellen Simonoff
Community Management Team Leader
(703) 695-6590, ext. 2531
SimonoffE@hqmc.usmc.mil

Ms. Linda Wilkes
Office Automation Assistant
(703) 695-6751, ext. 2498
WilkesLM@hqmc.usmc.mil

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix B—Marine Corps Warranting Requirements and Procedures

SAMPLE CONTRACTING OFFICER APPOINTMENT REQUEST LETTER

4200
Originator's Code
Date

From: [Management official authorized to make the request]
To: Commandant of the Marine Corps (LB), Headquarters U.S. Marine Corps, 2 Navy
Annex, Washington D.C. 20380-1775

Subj: REQUEST FOR CONTRACTING OFFICER APPOINTMENT

Ref: (a) MAPS 1.603
(b) MAPS Appendix B

Encl: (1) Contracting Officer Appointment Checklist and Supporting Documentation

1. Pursuant to reference (a) and (b), request that [insert name of applicant] be appointed as a Contracting Officer with [insert dollar authority level or unlimited] contracting authority. His/her qualifications are set forth in enclosure (1).
2. Provide necessity of appointment [briefly explain why a warrant is required for the individual].
3. The point of contact for this matter is [insert contact name and phone number].

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Appendix B—Marine Corps Warranting Requirements and Procedures

SAMPLE CONTRACTING OFFICER APPOINTMENT WAIVER LETTER

4200
Originator's Code
Date

From: [Management official authorized to make the request]
To: Commandant of the Marine Corps (LB), Headquarters U.S. Marine Corps, 2 Navy Annex, Washington D.C. 20380-1775
Via: [As determined by command]

Subj: REQUEST FOR CONTRACTING OFFICER APPOINTMENT WAIVER

Ref: (a) SECNAVINST 5300.36

Encl: (1) Contracting Officer Appointment Checklist and Supporting Documentation

1. Pursuant to reference (a), please grant a Contracting Officer appointment waiver for:

Name:

Position title, civilian series or military designator, and grade:

Organization, code, and address:

Position description number (CPCN for civilians, or UIC/MCC/TO line number for military):

Enclosure (1) is provided to support this request.

2. The dollar amount of Contracting Officer appointment requested:

3. Identify the specific requirement that the person lacks. Be specific as to the amount that is lacking, e.g., lacks 8 of the 24 semester hours of education, lacks 11 of the 24 months of contracting experience, etc.

4. Provide justification for the request. The justification must contain the following statement: "I certify significant potential for advancement for the following reasons: [insert the rationale that is in support of the certification]."


Signature of requesting official and title

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix B—Marine Corps Warranting Requirements and Procedures

CONTRACTING OFFICER APPOINTMENT CHECKLIST

Name _____
Military Rank and MOS/Civilian Title, Series, and Grade _____

| <u>Please Check All That Apply</u> | |  |
|---|-------------------|---|
| 1. Training * | Circle One | |
| a. Level I | Certified: Y or N | |
| CON 100 Shaping Smart Business Arrangements | | |
| CON 101 Basics of Contracting | | |
| CON 104 Principles of Contracting Pricing | | |
| b. Level II | Certified: Y or N | |
| CON 202 Intermediate Contracting | | |
| CON 204 Intermediate Contract Pricing | | |
| CON 210 Government Contract Law | | |
| c. Level III | Certified: Y or N | |
| CON 301 Executive Contracting | | |
| CON 333 Management for Contracting Supervisors | | |
| 2. Experience - two years in a contracting position | | |
| 3. Baccalaureate degree from accredited institution * | | |
| 4. 24 semester hours of business courses * | | |
| 5. Section 824 Exceptions (check only one) ** | | |
| a. I served as a Contracting Officer (above the SA threshold) on or before 30 Sep 00, or | | |
| b. I served as an 1102 (or equivalent military) on or before 30 Sep 00, or | | |
| c. I have met the qualification requirements for the contingency contracting force (military only). | | |
| 6. I am lacking one or more of the requirements in blocks 1 through 4 above, and I cannot use one of the exceptions at block 5. A request for Contracting Officer appointment waiver is attached. | | |

Candidate Signature _____

* For those individuals not already certified in the Contracting career field at their grade level, if any training was not completed for your appropriate certification level in block 1, or if block 3 or 4 is not checked, you must complete block 5.

** If none of the exceptions listed in block 5 are applicable, then block 6 must be checked and a waiver letter attached. The exception for the contingency contracting force has not been defined yet by OSD and is not valid at this time.

Ref. Section 1724, 10 U.S.C.

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SAMPLE RESUME

JOHN Q. PUBLIC
SSN: XXX-XX-XXXX

Work Phone: (XXX) XXX-XXXX, ext. XXX
DSN: XXX-XXXX

E-mail Address:

EXPERIENCE: (Below are samples)

January 2001 to present: GS-1102-13 Contract Specialist; Regional Contracting Office Somewhere, USA. Deputy and team lead over 5 contract specialists with unlimited warrant. Responsible for the oversight and coordination of all contract actions at the office, including strategic acquisition planning. Team is responsible for the procurement and administration of contracts for equipment, supplies and services estimated to exceed \$100K, and those involving trade-off/best value analysis. Serves as focal point for the command and all customers for acquisition issues. Develops network-based business processes to enhance coordination of work effort and to standardize work practices, as well as mentors and provides regular development of contract specialists within the contracts office.

May 1999 to December 2000: Student; Naval Postgraduate School, Acquisition and Contract Management. (Please note the following: The curriculum at NPS satisfies the mandatory Defense Acquisition University (DAU) contracting courses required by DAWIA. Up to 12 months of training or education may be substituted for the experience standards required under DAWIA.)

May 1998 to December 2000: GS-1102-12 Contract Specialist; Department of Agriculture, Somewhere, USA. Maintained overall progress of all phases of pre- and post-award functions for the procurement and administration of supplies, services and architectural-engineering contracts. Responsible for timely execution of contract awards, establishing and meeting milestones and negotiation objectives to ensure environmental and design projects were awarded within authorized scope and funding limitations. Maintained working knowledge of current regulations and policies impacting procurement of A-E services, as well as in-depth understanding of DOA Construction program.

December 2000 to March 2002: Chief of the Contracting Office; 1st Supply Battalion, 1st Force Service Support Group. Contingency Contracting Officer for deployable forces of 1 MEF and MARFORPAC/MARCENT with unlimited Contracting Officer appointment.

August 2001 to present: Procurement Chief; Regional Contracting Office, Somewhere, USA. Supervised branch of 5 Marines and 2 civilians providing contract support to customers covering over 25 sites. Provided contracting oversight and training, developed policies, and responsible for year-end close out procedures. Warranted up to \$100K.

February 1997 to May 1999: GS-1102-11 Contract Specialist; Navy Contracting Office, Somewhere, USA. Managed the procurement and administered all types of contracts, including Cost-Plus Fixed Fee requirements, Time & Materials/Labor-Hour, Indefinite Quantity and other Firm, Fixed-Price contracts, in a contracting office with an unlimited contracting authority. Reviewed and evaluated statements of work for engineering services, maintenance of equipment and other service requirements, as well as specifications/performance requirements

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix B—Marine Corps Warranting Requirements and Procedures

for equipment/hardware acquisitions, and determined best acquisition method for the contract action. Prepared and presented source selection plans, acquisition plans, and pre- and post-negotiation business clearance memorandums to the command Contracts Review Board. Coordinated technical and audit information, including detailed analysis of labor hours, labor categories, and labor rates, escalation factors, overhead rates and projects, and other direct and indirect costs to develop target position as a basis of negotiations.

January 1997 to February 2000: GS-1102-7/9/11/12 Contract Specialist; Regional Contracting Office, Somewhere, USA. Successfully completed three-year Contracting intern program with the Naval Center for Acquisition Workforce Professional Development (NCAWPD), Mechanicsburg, PA. Responsible for increasingly complex and difficult procurements, including purchase request review, procurement planning, solicitation preparation, responsibility determinations, cost and price analysis, and establishment of target negotiation positions, written and oral presentations of pre- and post-business clearance memorandums, negotiations/discussions with offerors, contract award and contract administration for firm, fixed-price and cost type contracts.

EDUCATION:

Junior College, A.A., 06/99

University of Somewhere, B.S. in Management, 12/87

Navy Post Graduate School, Acquisition and Contract Management, 12/00

TRAINING:

PUR 101, Purchasing Fundamentals

CON 101, Management of Defense Acquisition Contracts (Basic)

QMT 170, Principles of Contract Pricing/Negotiation Workshop

CON 201, Government Contract Law

CON 211, Management of Defense Acquisition Contracts (Advanced)

CON 241, Automated Information Systems (AIS) Contracting

CTC 366, Architect-Engineer Contract Management

CTC 337, Facilities Support Contract Modifications

CTC 343, Construction Contract Modifications

CON 301, Executive Contracting

CON 333, Management for Contract Supervisors

SPS Training

CTC-415T, Source Selection and Technical Evaluation Board

OTHER INFORMATION:

Level III Contracting Certification, 06/01

Certified Professional Contracts Manager (CPCM), NCMA, 05/97

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix C—Acquisition Workforce Report

SAMPLE FY03 ACQUISITION WORKFORCE REPORT UIC 00681/RCO CAMP PENDLETON

| Name | GS Series | Grade | Year of Birth * | Years of Service * | MOS | Rank | Warrant Level | Cert Level Achieved | CL Credit Hours as of 30 Sep | Have 24 Bus semester hours? | Education Level |
|--------------|-----------|-------|-----------------|--------------------|------|-------|---------------|---------------------|------------------------------|-----------------------------|-----------------|
| Doe, Jane | 1102 | 9 | 1967 | 12 | | | SAT | C – II | 40 | N | 13 |
| Public, John | | | | | 3044 | GySgt | SAT | C – I | 80 | Y | 11 |

* This information will be used to calculate attrition information based on the maturity of the workforce.

Education Codes

- | | | | |
|----|---|----|--------------------------------|
| 01 | No formal education or some elementary school – did not complete | 14 | Post-Baccalaureate degree |
| 02 | Elementary school completed – no high school | 15 | First professional degree |
| 03 | Some high school – did not graduate | 16 | Post first professional degree |
| 04 | High school graduate or certificate of completion | 17 | Master's degree |
| 05 | Terminal occupational program – did not complete | 18 | Post master's degree |
| 06 | Terminal occupational program – certificate of completion, diploma, or equivalent | 19 | Sixth-year degree |
| 07 | Some college – less than 1 year | 20 | Post sixth-year degree |
| 08 | 1 year college | 21 | Doctorate degree |
| 09 | 2 years college | 22 | Post doctorate |
| 10 | Associate degree | | |
| 11 | 3 years college | | |
| 12 | 4 years college | | |
| 13 | Baccalaureate degree | | |

BEING DEVELOPED

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix E—Required Reports

The following matrix is a summary of required reports. Requirements for negative reports are as noted. Unless otherwise noted, all reports shall be submitted to LB.

| REPORT FORMAT MATRIX | | |
|-------------------------------|---|--|
| REPORT TITLE | REFERENCE | DUE DATE |
| Acquisition Workforce Report | MAPS 1.603-3; Appendix C | 30 October of each year. |
| PPMAP Annual Report | NMCARS 5201.691-1; MAPS 1.691-1-100 | Submit to LBPP (PPMAP Team) by 15 November of each year. |
| CPARS Reporting Metrics | DoN CPARS Guide | Jul., Oct., Jan., and Apr. of each year. |
| Agency Protest Report | MAPS 33.103; Appendix N | 30 October of each year. |
| GAO Protest Report | MAPS 33.104; Appendix O | 30 October of each year. |
| Report of Termination Actions | MAPS 49.101-100; Appendix Q | 30 October of each year. |
| DCAA Audit Status Report | DoD Directive 7640.2; MAPS 42.191 | 10 April, 10 October of each year, if applicable. |

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix F—Acronyms

Acronyms. The following is a list of acronyms commonly used in Marine Corps acquisition:

| Acronym | <i>What the acronym means</i> |
|----------------|---|
| | |
| AAFES | Army Air Force Exchange Service |
| ACRN | Accounting Classification Reference Number |
| ADR | Alternative Dispute Resolution |
| ADSB | Associate Director of Small Business |
| AOR | Area of Responsibility |
| AP | Acquisition Plan |
| ARO | Accounts Receivable Office |
| ASN (RD&A) | Assistant Secretary of the Navy (Research, Development and Acquisition) |
| ATO | Agency Tender Official |
| ATRRS | Army Training Requirements and Resources System |
| AWSOM | Acquisition Workforce System of Management |
| BCM | Business Clearance Memorandum |
| BOA | Basic Ordering Agreement |
| BPA | Blanket Purchase Agreement |
| CBD | Commerce Business Daily |
| CCO | Chief of the Contracting Office |
| CD&F | Class Determination and Finding |
| CFR | Code of Federal Regulations |
| CG | Commanding General |
| CHINFO | Chief of Information |
| CIO | Chief Information Officer for the Marine Corps |
| CKO | Contingency Contracting Officer |
| CL | Office of Counsel for the Commandant |
| CLP | Continuous Learning Points |
| CMC | Commandant of the Marine Corps |
| CMC (FD) | Fiscal Director of the Marine Corps |
| CMS | Career Management System |
| CO | Commanding Officer |
| CON | Contracting Course under the Defense Acquisition University Curriculum |
| COR | Contracting Officer's Representative |
| CPARS | Contractor Performance Assessment Reporting System |
| CS | Consulting Services |
| DASN (ACQ) | Deputy Assistant Secretary of the Navy for Acquisition Management |
| DAU | Defense Acquisition University |
| DAWIA | Defense Acquisition Workforce Improvement Act |
| DC, I&L | Deputy Commandant, Installations and Logistics, Headquarters, U.S. Marine Corps |
| DCPDS | Defense Civilian Personnel Data System |
| D&F | Determination and Findings |
| DEDA | DoD Electronic Document Access |
| DFARS | Defense FAR Supplement |

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix F—Acronyms

| | |
|----------|--|
| DLA | Defense Logistics Agency |
| DO | Delivery Order |
| DOC | Department of Commerce |
| DoD | Department of Defense |
| DoN | Department of the Navy |
| DPAS | Defense Priorities and Allocations System |
| DRMS | Defense Reutilization and Marketing Service |
| EDA | Electronic Document Access |
| EMALL | Department of Defense Electronic Mall |
| EPG | Electronic Procurement Generator |
| ERR | Eastern Recruiting Region |
| FAR | Federal Acquisition Regulation |
| FOIA | Freedom of Information Act |
| FSS | Federal Supply Schedule |
| GAO | Government Accountability Office |
| GCPC | Governmentwide Commercial Purchase Card |
| GSA | General Services Administration |
| HCA | Head of the Contracting Activity |
| HQMC | Headquarters, U.S. Marine Corps |
| IDIQ | Indefinite Delivery Indefinite Quantity |
| IDTC | Indefinite Delivery Type Contract |
| I&L | Installations and Logistics Department, HQMC |
| IT | Information Technology |
| J&A | Justification and Approval Governed by FAR Part 6 |
| JER | Joint Ethics Regulation (DoD 5500.7-R) |
| K-21 | Knowledge for Acquisition in the 21 st Century Website |
| KM | Knowledge Management |
| LB | Director, Electronic Business and Contracts Division, I&L Department, HQMC |
| LBEB | Paperless Acquisition Electronic Business, Contracts Division, HQMC |
| LBPP | PPMAP, Contracts Division, HQMC |
| LBPO | Policy & Oversight, Contracts Division, HQMC |
| LPC | Logistics Capabilities Center (CMC (LPC)), I&L Department, HQMC |
| MAPS | Marine Corps Acquisition Procedures Supplement |
| MARTD | Marine Air Reserve Training Detachment |
| MCFCFS | Marine Corps Field Contracting System |
| MCHS | Marine Corps Common Hardware Suite |
| MCLC | Marine Corps Logistics Command |
| MCX | Marine Corps Exchange |
| MEO | Most Efficient Organization |
| MFR | Memorandum for the Record |
| MILSTRIP | Military Standard Requisitioning and Issue Procedures |
| MIPR | Military Interdepartmental Purchase Request |
| MRO | Maintenance, Repair and Operation |
| NAFI | Navy Air Force Interface |
| NAFI | Nonappropriated Fund Instrumentality |
| NEX | Navy Exchange |
| NMCAG | Navy Marine Corps Acquisition Guide |

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix F—Acronyms

| | |
|------------|---|
| NMCARS | Navy Marine Corps Acquisition Regulation Supplement |
| NMCI | Navy-Marine Corps Intranet |
| NTE | Not-To-Exceed |
| ODS | Ozone-Depleting Substances |
| OIC | Officer in Charge |
| OLA | Office of Legislative Affairs |
| OMB | Office of Management and Budget |
| OSD | Office of the Secretary of Defense |
| PBSA | Performance-Based Service Acquisitions |
| PEP | Proposal Evaluation Plan |
| PIO | Procurement Integrity Office, Department of the Navy |
| PMRS | Procurement Management Reporting System |
| POC | Point of Contact |
| PPIRS | Past Performance Information Retrieval System |
| PPMAP | Procurement Performance Management Assessment Program |
| PR | Purchase Request |
| PR Builder | Procurement Request Builder |
| PWS | Performance Work Statements |
| QAE | Quality Assurance Evaluator |
| QASP | Quality Assurance Surveillance Plan |
| RCO | Regional Contracting Office |
| R&D | Research and Development |
| RFP | Request for Proposal |
| RPR | Report of Property Received |
| SADBU | Small and Disadvantaged Business Utilization |
| SAO | Senior Acquisition Official |
| SAP | Simplified Acquisition Procedures |
| SAT | Simplified Acquisition Threshold |
| SBA | Small Business Administration |
| SCO | Senior Contracting Official |
| SES | Senior Executive Service |
| SF | Standard Form |
| SIOH | Supervision, Inspection and Overhead |
| SLIN | Subline Item Number |
| SPS | Standard Procurement System |
| SSA | Source Selection Authority |
| SSAC | Source Selection Advisory Council |
| SSEB | Source Selection Evaluation Board |
| SSP | Source Selection Plan |
| TO | Task Order |
| UCA | Un definitized Contract Action |
| UMMIPS | Uniform Materiel Movement and Issue Priority System |
| USD | Under Secretary of Defense |
| VECP | Value Engineering Change Proposal |
| WAWF-RA | Wide Area WorkFlow – Receipt and Acceptance |

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix G—Justification and Approval (J&A)

J&A FORMAT

(USE CONTRACTING OFFICE LETTERHEAD)

Control No: (e.g., MCLBA 10052)

JUSTIFICATION AND APPROVAL TO PROCURE USING OTHER THAN FULL AND OPEN COMPETITION

Upon the basis of the following justification, I, as (insert appropriate title; e.g., Navy Senior Procurement Executive; Head of the Contracting Activity; Assistant Deputy Commandant, Installations and Logistics (Contracts); Competition Advocate for the Procuring Activity; or Contracting Officer), hereby approve use of other than full and open competition for the proposed contractual action pursuant to the authority of (insert appropriate authority; e.g., 10 U.S.C. 2304 (c) (1)).

Justification

(Insert content required by FAR 6.303-2, NMCARS 5206.303-2 and as noted herein under the appropriate information headings listed below. These headings must be included in every J&A. If a particular heading does not apply, annotate N/A along with brief supporting rationale, unless the reason for nonapplicability is self-evident.)

1. Identification of Agency and Contracting Activity.

Specify the agency and contracting activity responsible for this action (e.g., Marine Corps; Marine Corps Logistics Base, Albany, Georgia, Contracts Directorate (Code 892)).

2. Nature/Description of Action.

State the nature of the action, e.g., contracting without providing for full and open competition. Note whether approval is being requested for a new contract or a modification. Also include the type of contract being contemplated and rationale. When applicable, describe any planned incentive arrangements for improving contractor performance, including any sharelines, ceilings, performance incentives, award fees, escalation provisions, anticipated profit/fee ranges, or other pricing arrangements.

3. Description of Supplies/Services.

Provide a clear and thorough description of what the activity intends to acquire under the resulting contractual action (s).

4. Identification of Statutory Authority.

Identify the statutory authority permitting other than full and open competition, followed by the FAR citation title (e.g., 10 U.S.C. 2304(c)(1). Only one responsible source and no other supplies or services will satisfy agency requirements.).

5. Demonstration of the Contractor's Unique Qualifications or Rationale for Use of the Authority Cited.

Describe how this action requires the use of the authority cited. If applicable, identify the proposed or potential contractor(s), and include a discussion of the proposed contractor's unique qualifications for fulfilling the contract requirements. If unusual and compelling urgency

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix G—Justification and Approval (J&A)

is cited, provide data, estimated cost, or other rationale as to the extent and nature of the harm to the Government.

6. Efforts Made to Solicit Potential Sources.

Describe efforts to ensure that offers are solicited from as many potential sources as is practicable. Also describe the extent of effective competition anticipated for this acquisition. Include whether a notice was or will be publicized as required by FAR 5.201 and that any bids or proposals received shall be considered. If a notice will not be published, state which exception under FAR 5.202 applies.

7. Determination of Fair and Reasonable Cost.

The Contracting Officer must make a determination that the anticipated cost to the Government will be fair and reasonable, e.g., "The Contracting Officer has determined that the anticipated cost to the Government will be fair and reasonable."

Provide a statement explaining the basis for such a determination (e.g., describe techniques to be used to determine fair and reasonable price such as cost analysis, price analysis, audit, Independent Government Estimate, etc.).

8. Description of Market Research.

Provide a description of the extent and results of the market research conducted to identify qualified sources (see FAR Part 10). Research must have been meaningful and conducted within the previous 12 months. If market research was not conducted, include a statement of the reason why it was not conducted.

9. Other Supporting Facts.

Discuss any other facts supporting the use of other than full and open competition as described in FAR 6.303-2(a)(9).

10. Listing of Interested Sources.

Include a listing of sources that have written to express an interest in the acquisition. Include the basis for determining that any of those sources are not viable competitors. If applicable, clearly state "To date, no other sources have written to express an interest."

11. Actions Taken to Remove Barriers to Competition.

While circumstances may not permit full and open competition for the current acquisition, include a statement of the actions taken, or to be taken, to increase competition (e.g., breakout) in the future.

12. Statement of Delivery Requirements.

Include a statement of delivery requirements per NMCARS 5206.303-2.

13. Total Estimated Dollar Value of the Acquisition(s) Covered by this J&A.

Identify by fiscal year and appropriation; include options.

14. Class Justification.

If this is a class justification, include the expiration date. The cumulative dollar value of all actions contemplated under the class justification will be used to determine the approval authority for the class justification.

15. Reference to the Approved Acquisition Plan (AP).

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Appendix G—Justification and Approval (J&A)

Provide the AP number and date it was approved, if applicable.

16. Documentation for Spare/Repair Parts Acquisitions.

If the requirement is for a spare or repair part, address whether or not it has been screened under DFARS Appendix E. If it has been screened, provide the Acquisition Method Code (AMC) and Acquisition Method Suffix Code (AMSC). Provide the approximate date the technical data package will be available.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix G—Justification and Approval (J&A)

Control No: (e.g., MCLBA 10052)

Certifications and Approval

Technical and Requirements Certifications (FAR 6.303-2(b)):

I certify that the supporting data under my cognizance, which is included in this justification, are accurate and complete to the best of my knowledge and belief.

Technical Cognizance:

(Signature) _____ Date _____
Typed Name and Title _____

Requirements Cognizance:

(Signature) _____ Date _____
Typed Name and Title _____

Contracting Officer Certification (FAR 6.303-2(a)(12)):

I certify that this justification is accurate and complete to the best of my knowledge and belief.

(Signature) _____ Date _____
Typed Name and Title _____

Review for Legal Sufficiency (NMCAG G5206.303-90):

This justification is determined legally sufficient.

(Signature) _____ Date _____
Typed Name and Title _____

Approval

Competition Advocate (Procuring Activity) (FAR 6.304(a)(2)):

(Signature) _____ Date _____
Typed Name and Title _____

Competition Advocate of the Marine Corps:

(Signature) _____ Date _____
Typed Name and Title _____

Head of the Contracting Activity or Designee (FAR 6.304(a)(3)):

(Signature) _____ Date _____
Typed Name and Title _____

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

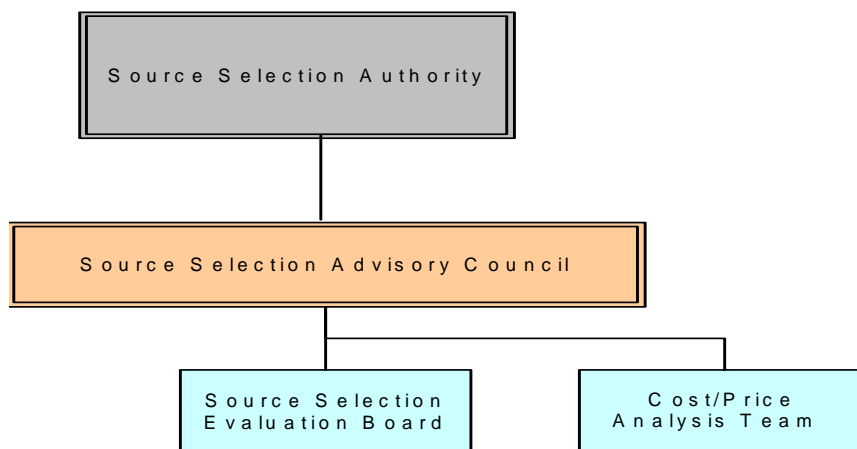
Appendix H—Governmentwide Commercial Purchase Card (GCPC) Program

BEING DEVELOPED

• Source Selection Organization

The following overview provides a brief synopsis of the personnel and organizations involved in the source selection process. Following this, a table with each of the source selection assignments to these organizations and a discussion on the responsibilities of the personnel assigned to them will be presented.

3.1 Overview



Source Selection Organization

Figure 3-1. Source Selection Organization

As show in figure 3-1 above, a Source Selection Authority (SSA), Source Selection Advisory Council (SSAC), Source Selection Evaluation Board (SSEB), and Cost/Price Analysis Team (C/PAT) are the personnel and panels used to evaluate proposals. These organizations constitute the three levels of authority prescribed for the source selection organization as follows:

- The SSA is the Government official accountable for selecting the source.
- The SSAC consists of a Chairperson, appointed by the SSA or his designee, and other senior military and civilian personnel who act as advisors to the SSA throughout the source selection process. The SSAC will include representation from the various functional areas involved in the procurement. The SSAC will have a legal advisor.
 - The SSEB consists of a Chairperson, appointed by the SSAC Chairperson, and other experienced Government contracting, technical, and management personnel. The SSA or his/her designee appoints these members.

The membership of the SSAC and the SSEB should be mutually exclusive, where separate boards are used, resulting in two unbiased independent groups. Others directly involved in the source selection process will be the following:

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix I—Source Selection Organization

- A Cost/Price Analysis Team (C/PAT) will be formed in order to evaluate the proposed cost or price of the proposals. The C/PAT will report directly to the SSAC in order to ensure that Offerors' proposed costs/prices have not been considered by the SSEB during its proposal evaluation process. It is likely, however, that the SSEB will need to provide consultation to the C/PAT to review proposed labor hours, if applicable.
- The Program Manager (PM) initiates the preparation of all required program documentation, including the AS/AP (Acquisition Strategy/Acquisition Plan) and SSP (Source Selection Plan), and is responsible for obtaining the approval of these documents prior to issuance of the formal solicitation.
- The Procuring Contracting Officer (PCO) assists the PM in developing the AS/AP, and SSP and is responsible for preparing the solicitation and contract(s). The PCO serves and will continue to serve, as the focal point for inquiries from actual or prospective Offerors and, following receipt of proposals, will control exchanges with Offerors. The PCO also awards the contract(s).

3.2 The Source Selection Authority (SSA)

The SSA is responsible for the proper and efficient conduct of the entire source selection process and has full authority to make the source selection decision. The SSA's specific responsibilities and duties include:

- a. Ensure that people with the requisite skill and experience to execute the source selection process are appointed to the SSAC, SSEB, and C/PAT, and that an evaluation group structure is established and employed.
- b. Appoint the SSAC Chairperson and SSAC members.
- c. Review and approve the SSP.
- d. Approve the evaluation criteria and best value determination procedures established.
- e. Ensure that conflicts of interest, and the appearance thereof, are avoided and that premature or unauthorized disclosure of source selection information is avoided.
- f. Provide the SSAC, SSEB, and C/PAT with appropriate guidance and special instructions as may be necessary to conduct the evaluation and selection process.
- g. Make the source selection decision after in-depth review and consideration of all information and data available from the SSAC, SSEB, and C/PAT, ensuring that the final source selection decisions and supporting rationale are documented before the contract awards are announced.
- h. Selects source.

3.3 The Source Selection Advisory Council (SSAC)

3.3.1 Source Selection Advisory Council Chairperson Responsibilities

- a. Responsible for the direction, control, and performance of the evaluation of the Offeror's proposals and for the production of the SSAC Report.
- b. Review and sign the SSP.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix I—Source Selection Organization

- c. Coordinate and preside over all SSAC meetings.
- d. Distribute and collect all Conflict of Interest Certifications and Nondisclosure of Information Statements and OGE 450 or SF Forms 278 for review by the Legal Advisor. Once reviewed, turn these over for inclusion in the official file and retention by the PCO.
- e. Ensure that all SSAC, SSEB, and C/PAT members maintain security.
- f. Refer any inquiry concerning the selection process or material from persons outside the source selection process to the PCO.
- g. Advise the PCO promptly of any possible compromise during the source selection process.
- h. Ensure timely evaluation inputs from the SSEB Chairperson and PCO or PCO Representative; distribute a copy of the SSEB and Cost Reports to each SSAC member.
- i. After allowing SSAC members time to review the SSEB and Cost Reports, arrange SSAC meetings for the oral presentations of the findings by the SSEB Chairperson and the PCO Representative.
- j. Produce the written SSAC Report which documents the analysis and assessments, provides a narrative justification of the recommendation for the source selection, includes the consensus SSAC rating for each Offeror's proposal, and includes proposed price.
- k. Submit the SSAC Report, signed by each voting SSAC member, to the SSA with a copy to the PCO after legal review.
- l. Upon request, assist the PCO in debriefing unsuccessful Offerors.
- m. Develop the order of importance to be applied to the technical evaluation in conjunction with the PCO.

3.3.2. Source Selection Advisory Council Member Responsibilities

- a. Review and agree to comply with the SSP.
- b. Receive and review briefings, reports of pre-award surveys, audits, etc., as necessary throughout the source selection process.
- c. Review the SSEB and C/PAT Reports and concur with the results or recommend alternative findings.
- d. Recommend either award on the basis of the initial Offerors proposal or recommend a competitive range of Offerors with whom communications should be held and the areas of concern.
- e. Recommend the source selection to the SSA.
- f. Defer to PCO/PM for joint decision in the event of inability to reach a decision.

3.4 The Program Manager

Responsibilities of the Program Manager are:

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Appendix I—Source Selection Organization

- a. Review and sign the SSP.
- b. Ensure that Government employee conflicts of interest, and the appearance thereof, are avoided and that no premature or unauthorized disclosure of source selection information or proprietary information occurs.
- c. Ensure appropriate corrective measures are taken for any unauthorized disclosures of source selection or proprietary information.
- d. Resolve any areas of disagreement regarding recommendation for award with the PCO/SSA.
- e. Serve as a non-voting SSAC member.
- f. Make and approve administrative changes to the SSP, in conjunction with the PCO.

3.5 The Procuring Contracting Officer (PCO) and PCO Representative to C/PAT

PCO responsibilities are the following:

- a. Prepare, review, and sign the SSP.
- b. Make and approve administrative changes to the SSP, in conjunction with the PM.
- c. Review and issue the RFP.
- d. Review and make a written determination on possible conflicts of interest and add any mitigating clauses to the RFP.
- e. Be the official point of contact for all Offerors.
- f. Be the sole authority to authorize disclosure of source selection and proprietary information to other than to the SSA, Program Manager (PM), SSAC, C/PAT, and SSEB members.
- g. Ensure the proper and effective conduct of the evaluation and selection process.
- h. Serve as a non-voting SSAC member.
- i. Verify the Government analysis of the proposed cost, assisted as necessary by the SSAC members.
- j. After SSEB evaluation is complete but prior to the submission of the SSEB report to the SSAC, review the SSEB report with the Legal Advisor and the SSEB Chairperson to determine if any problem areas exist.
- k. Arrange with Offerors for the submission of additional clarifying information.
- l. Determine the competitive range, if necessary.
- m. Conduct clarifications, communications and exchanges, if necessary, in accordance with Federal Acquisition Regulation (FAR) and Defense FAR Supplement (DFARS) as well as discussions, if necessary.

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Appendix I—Source Selection Organization

- n. Determine the responsibility of Offerors within the meaning of FAR 9.104.
- o. Review apparent successful Offeror's certifications and make a determination that there was no conflict of interest or unfair competitive advantage or, if one exists, determine whether it can be neutralized, avoided or otherwise mitigated.
- p. Prepare contract award documents and the necessary business clearances.
- q. Award and execute the contract.
- r. Notify unsuccessful Offerors in accordance with FAR 15.503.
- s. In accordance with FAR 15.506, and with the assistance of the SSAC Chairperson and Legal Advisor, debrief unsuccessful Offerors upon written request.
- t. Prepare a written summary for each debriefing for the official contract file.

3.6 PCO Representative Cost/Price Analysis Team

- a. Prepare, for PCO approval, the RFP in accordance with the SSP, Acquisition Strategy/Acquisition Plan (AS/AP), and current law and regulations.
- b. Publicize the solicitation in the FEDBIZOPPS.
- c. Ensure proposals are marked with the date and time of receipt; review proposals to ensure that price information is not contained in the technical Volume(s), for minor informalities or irregularities, and apparent clerical mistakes prior to submitting the technical volumes of the proposal to the SSEB Chairperson.
- d. Assist the PCO in analyzing the reasonableness of the proposed price.
- e. Review Offeror's certifications and representations contained in the proposal and notify the PCO of any insufficiencies.
- f. Request field pricing reports and pre-award surveys if necessary.
- g. Prepare the analysis of the proposed scope of effort in the context of the labor hours, labor mix, travel costs, and any other cost as directed by the PCO for each Offeror, if applicable.
- h. Provide, to the SSAC Chairperson and the SSEB Chairperson, any material found in the price proposals that might aid in the SSEB's evaluation of the Offeror's proposal, and any technical exceptions.
- i. Analyze the price proposals in accordance with RFP criteria, listing all exceptions taken to the terms and conditions to the RFP and provide a price report to the SSAC Chairperson.
- j. Provide briefings and consultations concerning the cost evaluations as required by the SSAC or PCO.
- k. Prepare notifications to unsuccessful Offerors and, if requested, to the successful Offeror.
- l. Prepare contract award documents and necessary business clearances.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix I—Source Selection Organization

- m. Arrange for debriefings of all Offerors, upon written request after contract award.
- n. Prepare the official contract file.

3.7 The Cost/Price Analysis Team

The composition and the responsibilities of the C/PAT, including the C/PAT Chairperson, are described in the following section.

The C/PAT should be assisted by knowledgeable and professional personnel in appropriate specialty areas closely associated with this major procurement. It is highly desirable that both the personnel on the C/PAT and those who assist them have previous experience in similar or related programs in order to provide mature judgment and expertise in the evaluation process.

3.7.1 Cost/Price Analysis Review Team Chairperson

- a. Responsible for the direction, control and performance of the evaluation of the Offerors under the guidance of the SSAC Chairperson, and for submission of the C/PAT Report.
- b. Review and evaluate each contractor's proposal against the evaluation criteria.
- c. Comply with SSP evaluation procedures.
- d. Secure an evaluation work area and obtain adequate secure facilities for all evaluation materials.
- e. Establish a security roster.
- f. Brief, coordinate, and supervise C/PAT members, and ensure that members are properly instructed about their duties and responsibilities.
- g. Ensure all C/PAT members maintain security procedures during the evaluation process.
- h. Refer any inquiry concerning the evaluation and selection process from persons outside the source selection process to the PCO.
- i. Promptly advise the SSAC Chairperson and PCO of any significant delays in the evaluation process.
- j. Promptly advise the SSAC Chairperson and PCO of any possible compromise of security during the source selection process.
- k. Ensure timely evaluation input from other C/PAT members.
- l. Review the technical evaluations for completeness, consistency, and accuracy.
- m. Convene the C/PAT to discuss the preliminary views of the individual evaluation for each Offeror's proposal.
- n. Draft the C/PAT Report including areas for pricing.
- o. Resolve major discrepancies between C/PAT member evaluations.

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Appendix I—Source Selection Organization

- p. If requested, prior to submission of the C/PAT Report to the SSAC Chairperson, review with the PCO and Legal Advisor the findings to determine if any problems exist in the technical evaluation.
- q. Submit the signed C/PAT Report, signed by each C/PAT member, to the SSAC Chairperson for acceptance.
- r. At the SSAC meeting, provide an oral overview of the C/PAT evaluation and answer any question raised by the SSAC.
- s. Provide briefings and consultations concerning the C/PAT evaluation as required by the SSAC Chairperson, PM, or PCO.
- t. Upon request, assist the PCO in debriefing Offerors.

3.7.2. Cost/Price Analysis Team Member Responsibilities

- a. Review and evaluate each contractor's proposal against the evaluation criteria.
- b. Assist the C/PAT Chairperson in preparing a descriptive report, i.e. the C/PAT Report. Document their findings detailing strengths, weaknesses, risks and items for possible discussion/questions. Assign adjective ratings at factor level in accordance with the definitions in this SSP.
- c. Prepare clarification/discussion questions for each Offeror on pages separate from evaluation of strengths, weaknesses, and risks.
- d. Promptly advise the C/PAT Chairperson of any possible compromise of security during the source selection process.
- e. Refer any inquiry concerning the evaluation and selection process from persons outside the source selection process to the PCO.

3.8 The Source Selection Evaluation Board (SSEB)

The composition and the responsibilities of the SSEB, including the SSEB Chairperson, are described in the following section.

The SSEB should be assisted by knowledgeable and professional personnel in appropriate specialty areas closely associated with this major procurement. It is highly desirable that both the personnel on the SSEB and those who assist them have previous experience in similar or related programs in order to provide mature judgment and expertise in the evaluation process.

3.8.1. Source Selection Evaluation Board Composition

The SSEB performs the analysis of the Offerors' technical proposals, and Management/Past Performance information.

3.8.2 Source Selection Evaluation Board Chairperson

- a. Responsible for the direction, control and performance of the evaluation of the Offerors under the guidance of the SSAC Chairperson, and for submission of the SSEB Report.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix I—Source Selection Organization

- b. Review and evaluate each contractor's proposal against the evaluation criteria.
- c. Comply with SSP evaluation procedures.
- d. Secure an evaluation work area and obtain adequate secure facilities for all evaluation materials.
- e. Establish a security roster.
- f. Brief, coordinate, and supervise SSEB members, and ensure that members are properly instructed about their duties and responsibilities.
- g. Ensure all SSEB members maintain security procedures during the evaluation process.
- h. Refer any inquiry concerning the evaluation and selection process from persons outside the source selection process to the PCO.
- i. Promptly advise the SSAC Chairperson and PCO of any significant delays in the evaluation process.
- j. Promptly advise the SSAC Chairperson and PCO of any possible compromise of security during the source selection process.
- k. Ensure timely evaluation input from other SSEB members.
- l. Review the technical evaluations for completeness, consistency, and accuracy.
- m. Draft the SSEB Report. For each Offeror, consolidate the SSEB's findings at the factor level, into the SSEB Report including a summary of the SSEB Evaluation process and the basis for the evaluation, and a summary of the findings and the SSEB's consensus of the strengths, weaknesses, and risks of each Offeror's proposal. Assign a rating at the factor level that accurately reflects the merits of each proposal.
- n. Resolve major discrepancies between SSEB member evaluations.
- o. If requested, prior to submission of the SSEB Report to the SSAC Chairperson, review with the PCO and Legal Advisor the findings to determine if any problems exist in the technical evaluation.
- p. Submit the signed SSEB Report, signed by each SSEB member, to the SSAC Chairperson for acceptance.
- q. At the SSAC meeting, provide the SSEB evaluation and answer any question raised by the SSAC.
- r. Provide briefings and consultations concerning the SSEB evaluation as required by the SSAC Chairperson, PM, or PCO.
- s. Upon request, assist the PCO in debriefing Offerors.
- t. Brief the SSAC and SSEB members on the security safeguards and provide SSEB members with the roster of personnel authorized admittance to the evaluation area.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix I—Source Selection Organization

- u. Prior to receipt of proposals, provide SSEB members with the SSP, RFP, and any other documentation necessary for the technical evaluation.
- v. As appropriate, the SSAC Chairperson will delegate responsibilities to board members.
- w. Appoint SSEB Recorder and Security Officer.

3.8.3 Source Selection Board Team Leader Responsibilities

- a. Review and evaluate each contractor's proposal against the evaluation criteria.
- b. Assist the SSEB Chairperson in preparing a descriptive report for your team's area of responsibility, i.e. the SSEB Report. Document their findings detailing strengths, weaknesses, risks and items for possible discussion/questions. Assign adjective ratings at factor level in accordance with the definitions in this SSP.
- c. Prepare clarification/discussion questions for each Offeror on pages separate from evaluation of strengths, weaknesses, and risks.
- d. Promptly advise the SSEB Chairperson of any possible compromise of security during the source selection process.
- e. Refer any inquiry concerning the evaluation and selection process from persons outside the source selection process to the PCO.
- f. Collaborate with the C/PAT, as necessary, to provide technical advice that allows the C/PAT to determine cost reasonableness.

3.8.4 Source Selection Evaluation Board Member Responsibilities

- a. Review and evaluate each contractor's proposal against the evaluation criteria.
- b. Assist the SSEB Chairperson and team leader in preparing a descriptive report, i.e. the SSEB Report. Document their findings detailing strengths, weaknesses, risks and items for possible discussion/questions. Assign ratings at factor level in accordance with the definitions in this SSP.
- c. Prepare clarification/discussion questions for each Offeror on pages separate from evaluation of strengths, weaknesses, and risks.
- d. Promptly advise the SSEB Chairperson of any possible compromise of security during the source selection process.
- e. Refer any inquiry concerning the evaluation and selection process from persons outside the source selection process to the PCO.
- f. Collaborate with the C/PAT, as necessary, to provide technical advice that allows the C/PAT to determine cost reasonableness.

3.8.5 Source Selection Board Recorder Responsibilities

- a. Attend all SSEB and SSAC meetings and serve as the assistant to the SSEB and SSAC chairpersons

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix I—Source Selection Organization

- b. Prepare, distribute, and maintain the minutes of each meeting. Minutes shall include:
 - 1. the date, time, location, purpose
 - 2. list of attendees
 - 3. record of all decisions
 - 4. action items and assignees
- c. Distribute copies of SSEB and SSAC material such as the RFP, SSP, evaluation reports, and other reference materials
- d. Schedule all SSEB and SSAC meetings, briefings, conferences, etc..
- e. Notify appropriate personnel of the time and location of SSEB and SSAC meetings, briefings, conferences, etc..
- f. Prepare and distributing the agenda for SSEB/SSAC meetings, briefings, conferences, etc.
- g. Arrange for office resources such as computers, file cabinets, door/file locks, keys, and shredders
- h. Coordinate with the Security Officer on the adequacy of work areas and storage facilities
- i. Arrange for clerical and graphic support
- j. Arrange for the return of office resources at the conclusion of the SSEB/SSAC evaluation efforts
- k. Perform other tasks as assigned by the SSEB/SSAC Chairperson.

3.8.6 Source Selection Evaluation Board Security Officer Responsibilities

- a. Assist the SSEB and SSAC Chairpersons in indoctrinating source selection members on security issues
- b. Safeguard conflict of interest and non-disclosure statements until forwarded to the SSA and/or Legal Counsel
- c. Arrange for secure work areas and storage facilities and assist the Board Recorder in obtaining secure conference rooms
- d. Enforce the procedures and provisions of the Security Plan

3.8.7 Source Selection Evaluation Board Training

Training for the SSAC and SSEB board members will be provided prior to commencement of the source selection.

3.8.8 Advisors

The C/PAT and SSEB may seek the advice of advisors if essential to the evaluation or selection process. Advisors may be needed to further assist the evaluators in understanding nuances of the technology implementation. Advisors are appointed and approved by the SSAC Chair and may be either Government or non-Government employees. Government employees from other agencies may be used as advisors. Non-Government personnel are considered contractor advisors. The SSEB Chairperson or a designee authorizes the use of advisors on an “as needed” basis. Advisors (including contractor advisors) are NOT members of the source selection organization. Therefore, advisors shall not have access to proposals, evaluation documentation, or information regarding source selection proceedings except on a need to know basis as determined by the SSEB Chairperson and with the consent of the Offerors. All advisors will be governed by the Security Plan established for the acquisition. A team of advisors will be constructed to bridge the gap between technical requirements and cost. This will allow members of the C/PAT and SSEB to interface with they opposite team, without compromising the separate nature of the evaluation. An example of such an advisor is the Small Business Specialist. See MAPS 15.303(d).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix I—Source Selection Organization

3.9 The Counsel's Office

Legal Counsel Responsibilities are the following:

- a. Advise the PCO, PM, SSAC, SSEB, C/PAT, and SSA as required, on matters related to the legal aspects of the source selection process.
- b. Review and sign the SSP.
- c. Prior to release, review the RFP for consistency with law, policy, regulations, and the SSP.
- d. Review the "Conflict of Interest/Non-disclosure of Information", OGE 450 or SF Forms 278, lists of Offerors, and provide advice to the PCO regarding possible conflicts of interest.
- e. Participate as a non-voting member in SSAC meetings.
- f. After SSEB evaluations are complete but prior to submission of the SSEB Report to the SSAC, review the report with the PCO and SSEB Chairperson.
- g. Review the SSAC Report(s) prior to submission to the PCO.
- h. Upon request, assist the PCO during discussions with any Offerors.
- i. Review and approve the proposed contract for legal adequacy prior to award.
- j. Assist the PCO in debriefing Offerors.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix J—Source Selection Plan

BEING DEVELOPED

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix K—Business Clearance Memorandum (BCM)

BEING DEVELOPED

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix L—Determination and Findings - Economy Act

Sample D&F for Assisted Acquisitions Made Through Non-DoD Agencies (e.g., Federal Civilian Agencies to include their Franchise Funds - GSA, Agriculture, Commerce, Energy, Treasury)

OR

Assisted Acquisitions Greater Than \$1M Made Through DoD Agencies (e.g., Army, Navy, Air Force, DLA, DAPS)

OR

All Direct Acquisitions Greater Than \$1M

Control No. In Right Header (e.g., MCLBA 10001)

(Use Contracting Office Letterhead)

Economy Act Order

Determination and Findings

(31 U.S.C. 1535; FAR 17.5; DFARS 217.5; MAPS 17.503)

FINDINGS

1. Requiring Office. Identify the requiring office, including the Requiring Individual for the requirement.
2. Assisting Activity. Identify the office that will be sent the funds and asked to provide or procure the required goods or services.
3. Procurement Description. Identify the type of goods or services to be provided or procured. Identify the amount and type (appropriation and year) of funds that will be provided.
4. Competition. Identify the nature and extent of competition that the assisting activity will use to satisfy the requirement. Explain any noncompetitive actions.
5. Small Business. Explain the extent to which the small business, small disadvantaged business, woman-owned small business, Historically-Underutilized Business Zone small business, and/or service-disabled veteran-owned small business programs could be utilized.

Explain the acquisition history of the requirement, including contract number(s) of any small businesses, which have performed on the requirement during the previous 24 months. Identify if the requirement involves bundling or consolidation and provide information for incumbent contractors and the contracts affected by the bundling (See FAR 7.107) or consolidation (see DFARS 207.170).

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix L—Determination and Findings - Economy Act

6. Performance-based statements of work. Describe the extent to which a performance-based statement of work is used to identify the requirement. Attach a copy of the statement of work to the D&F.

7. Services. If the requirement is for services, document that the approvals required by the Navy-Marine Corps Acquisition Regulation Supplement 5237.170-3(b) have been obtained.

8. Personal vs. non-personal services. Include a statement that the requirement is for non-personal services only. If for “personal services” provide the statutory authority permitting the transaction.

9. Advisory and Assistance Services. Identify if the requirement includes any advisory and assistance services. If they are required, obtain appropriate high-level endorsement.

10. Rationale. Explain why use of an interagency acquisition is in the best interest of the DoD in terms of satisfying customer requirements, cost effectiveness, delivery schedule, non-availability of suitable contracts within DoD, contract administration and any other applicable considerations. If the assisting activity will be providing the supplies or services in-house, discuss why the requirement cannot be obtained as conveniently or economically by contracting directly with a private source. If the assisting activity will contract for the requirement, address whether: (a) The acquisition will be made under an existing contract the assisting activity has in place to meet its own requirements; (b) The assisting activity has capabilities or expertise to enter into a contract for the requirement the Marine Corps does not have; or (c) If the assisting activity is specifically authorized by law or regulation to purchase the requirement on behalf of other agencies.

11. Cost/Fees Charged. Identify fees, if any, charged by assisting activity to process/administer order. Include fee percentage and estimated dollars.

DETERMINATION

A. The use of an interagency acquisition is in the best interest of the Government.

B. This requirement cannot be obtained as conveniently or economically by contracting directly with a private source.

C. DoD/DoN unique terms and conditions were provided to the assisting activity and will be included in the contract award.

D. Funding is available and appropriate for the acquisition.

If the assisting activity will be contracting for the goods and services, choose at least one of the following and insert as paragraph E in the determinations section of the D&F:

E. The acquisition will appropriately be made under an existing contract of the assisting activity, entered into before placement of this Economy Act/Franchise Fund Order, to meet its own requirements for the same or similar services. Goods or services being ordered are within the scope of the basic contract.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix L—Determination and Findings - Economy Act

F. The assisting activity has capabilities or expertise to enter into a contract for this requirement that is not available within the Marine Corps.

G. The assisting activity is specifically authorized by law or regulation to purchase this requirement on behalf of other agencies.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix L—Determination and Findings - Economy Act

APPROVALS

(Typed Name and Title to be included below all signatures)

Approved: (Signature) _____
Requirements/Program Management Official Date

Approved: (Signature) _____
Marine Corps Regional Chief of the Contracting Office Date

Approved: (Signature) _____
Requiring Office Comptroller Date

Legally Sufficient: (Signature) _____
CL field Counsel Date

Approved: (Signature) _____
Assistant Deputy Commandant, I&L (Contracts) Date

The authorities below will not be involved in the approval process unless the dollar value exceeds \$50M/\$500M.

Approved: _____
Deputy Assistant Secretary of the Navy for Acquisition
Management
(actions >\$50M) Date

Approved: _____
Assistant Secretary of the Navy (Research, Development
and Acquisition)
(actions >\$500M) Date

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix M—Memorandum For The Record - Economy Act

**Sample MFR for Assisted Acquisitions Less Than \$1M Made Through DoD Agencies
(e.g., Army, Navy, Air Force, DLA, DAPS)**

OR

Direct Acquisitions Greater Than \$100,000 and Less Than \$1M

Control No. In Right Header (e.g., MCLBA 10001)

(Use Contracting Office Letterhead)

Economy Act Order

Contracting Officer's Memorandum For The Record

(31 U.S.C. 1535; FAR 17.5; DFARS 217.5; MAPS 17.503)

FINDINGS

1. Requiring Office. Identify the requiring office, including the Requiring Individual for the requirement.
2. Assisting Activity. Identify the office that will be sent the funds and asked to provide or procure the required goods or services.
3. Procurement Description. Identify the type of goods or services to be provided or procured. Identify the amount and type (appropriation and year) of funds that will be provided.
4. Competition. Identify the nature and extent of competition that the assisting activity will use to satisfy the requirement. Explain any noncompetitive actions.
5. Determination.

A. The use of an interagency acquisition is in the best interests of the Government.

B. This requirement cannot be obtained as conveniently or economically by contracting directly with a private source.

If the assisting activity will be contracting for the goods and services, choose at least one of the following and insert as paragraph 5.C. of the MFR:

C. The acquisition will appropriately be made under an existing contract of the assisting activity, entered into before placement of this Economy Act Order, to meet its own requirements for the same or similar services.

D. The assisting activity has capabilities or expertise to enter into a contract for this requirement that is not available within the Marine Corps.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix M—Memorandum For The Record - Economy Act

E. The assisting activity is specifically authorized by law or regulation to purchase this requirement on behalf of other agencies.

5. (Alternate Paragraph) Determination for Direct Acquisitions.

A. The use of an interagency acquisition is in the best interests of the DoD in terms of satisfying customer requirements, cost effectiveness, delivery schedule, non-availability of a suitable contract(s) within DoD, contract administration and any other applicable considerations.

B. This requirement cannot be obtained as conveniently or economically by contracting directly with a private source.

C. Funding is available and appropriate for the acquisition.

D. Terms, conditions and/or requirements unique to DoD or DoN are incorporated into the action to comply with applicable statutes, regulations and directives.

E. Supplies/Services being ordered are within the scope of the basic contract(s).

F. Compliance with the approval requirements at NMCARS 5237.170-3 (if for direct acquisition of services).

If the assisting activity will be contracting for the goods and services, choose at least one of the following and insert as paragraph 5.G. of the MFR:

G. The acquisition will appropriately be made under an existing contract of the assisting activity to meet its own requirements for the same or similar services.

H. The assisting activity has capabilities or expertise to enter into a contract for this requirement that is not available within the Marine Corps.

I. The assisting activity is specifically authorized by law or regulation to purchase this requirement on behalf of other agencies.

6. Small Business. Explain the extent to which the small business, small disadvantaged business, woman-owned small business, Historically-Underutilized Business Zone small business, and/or service-disabled veteran-owned small business programs could be utilized.

Explain the acquisition history of the requirement, including contract number(s) of any small businesses, which have performed on the requirement during the previous 24 months. Identify if the requirement involves bundling or consolidation and provide information for incumbent contractors and the contracts affected by the bundling (See FAR 7.107) or consolidation (see DFARS 207.170).

7. Performance-based statements of work. Describe the extent to which a performance-based statement of work is used to identify the requirement. Attach a copy of the statement of work to the MFR.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix M—Memorandum For The Record - Economy Act

8. Personal vs. non-personal services. Include a statement that the requirement is for non-personal services only. If for “personal services” provide the statutory authority permitting the transaction.

APPROVALS

Approved: _____
Requiring Individual _____ Date _____

Approved: _____
Marine Corps Regional Chief of the Contracting Office _____ Date _____

Approved: _____
Requiring Office Comptroller _____ Date _____

Legally Sufficient: _____
CL field Counsel _____ Date _____

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix N—Agency Protest Report

SAMPLE

Agency Protest Report – RCO _____ (1 October – 30 September 200__)

| Name of Protestor | Name of Contracting Officer | Date Received | Date Resolved | Solicitation # and Description of Requirement | Basis for Protest | Protest Denied or Sustained (if sustained, indicate remedy provided) | Check this Block if <u>No</u> Agency Protests Were Received this Fiscal Year |
|-------------------|-----------------------------|---------------|---------------|---|-------------------|--|--|
| | | | | | | | |

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix O—GAO Protest Report

SAMPLE

GAO Protest Report – RCO _____ (1 October – 30 September 200__)

| Name of Protestor | Name of Contracting Officer | Date Received | Date Resolved | Solicitation # and Description of Requirement | Basis for Protest | Protest Denied or Sustained (if sustained, indicate remedy provided) | Check this Block if <u>No</u> GAO Protests Were Received this Fiscal Year |
|----------------------|-----------------------------------|------------------|------------------|--|----------------------|--|---|
| | | | | | | | |

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix P—Management and Oversight Process for the Acquisition of Services

4200
LB
25 May 2004

From: Commandant of the Marine Corps

Subj: MANAGEMENT AND OVERSIGHT PROCESS FOR THE ACQUISITION OF SERVICES
(MOPAS)

Ref: (a) Defense Federal Acquisition Regulation Supplement (DFARS) 237.170
(b) Navy Marine Corps Acquisition Regulation Supplement (NMCARS)
Subparts 5237.1 and 5237.5
(c) DASN (ACQ) MOPAS Memorandum of 10 Mar 03

Encl: (1) Source Selection Plan (SSP)/Acquisition Plan (AP) Strategy Content
(2) Format for Approval of Services Acquisitions At or Below \$50M That
Are Not Performance Based
(3) Marine Corps MOPAS Review/Approval Thresholds

1. The references establish Department of Defense (DOD) and Department of the Navy (DON) policy, implementing Section 801(d) of the National Defense Authorization Act for Fiscal Year 2002 (Pub. L. 107-107) and 10 U.S.C. 2330, which govern the acquisition of services.

2. This letter further implements the references for the Marine Corps, except that it is not applicable to the Marine Corps Systems Command (MARCORSSYSCOM), which will implement its own policy on this matter. These policies and procedures apply to all Marine Corps services requirements, including those executed by the Marine Corps on behalf of external clients, regardless of whether the services are acquired through a DOD contract or task order, or a contract or task order awarded by an Agency other than DOD. This policy applies to any instruments for committing or obligating funds including funds transfers outside of the Marine Corps.

3. All acquisitions for services over the Simplified Acquisition Threshold (SAT) (currently \$100,000) shall have an approved source selection plan (SSP), or acquisition plan (AP) before solicitation release or the requirement is forwarded to a non-DOD activity for contracting. The plans provided should be commensurate with, and tailored to, the dollar value and complexity of the acquisition. In addition to other regulatory requirements, all SSPs or APs for services shall include the content specified in enclosure (1). Format for approval of services acquisitions at or below \$50M that are not performance based shall be as specified in enclosure (2) or equivalent. If an SSP or AP is otherwise not required by regulation for a given procurement, then an acquisition strategy paper will be prepared which addresses as a minimum the requirements of enclosure (1) and, as applicable, enclosure (2). Format for services acquisitions that are not performance based and exceed \$50M shall be prepared using customary AP formats for approval by DASN (ACQ) or higher.

4. In keeping with efforts to streamline the acquisition process, I hereby establish and redelegate my review and approval authorities as Head of the Contracting Activity (HCA) as specified in enclosure (3). These authorities cannot be further redelegated unless noted. Commands may elect to raise the levels of review and approval at the command level, if desired. All personnel will ensure that the applicable legal reviews are obtained from the Office of Counsel for the Commandant or one of its field offices.

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix P—Management and Oversight Process for the Acquisition of Services

Subj: MANAGEMENT AND OVERSIGHT PROCESS FOR THE ACQUISITION OF SERVICES
(MOPAS)

5. Copies of the references, enclosures, and other relevant documents and links related to the acquisition of services, including performance-based services samples, are posted on the HQMC K21 knowledge website at <https://k21.hqmc.usmc.mil> under the Contracting Policy, "Services" Library.

6. My point of contact for policies and procedures relating to the acquisition of services is Mr. John Marshall at (703) 695-6225 ext. 2548, DSN 225-6225, or <mailto:marshalljc@hqmc.usmc.mil>.

/S/

RICHARD L. KELLY
Lieutenant General, U.S. Marine Corps
Deputy Commandant
Installations and Logistics

Distribution:

COMMARFORRES
COMMARFORPAC
COMMARFORLANT
COMMARFOREUR
COMMARFORSOUTH
CG II MEF
CG MCLC Albany
CG MCB Camp Pendleton
CG MCAS Cherry Point
CG MCAS Miramar
CG MCB Camp Lejeune
CG 1st FSSG
CG MCB Hawaii
CG MAGTFTC Twentynine Palms
CG MCRD ERR Parris Island
CG MCRD WRR San Diego
CG MCB Camp Butler
CG 2d FSSG
CG 3d FSSG
CO MCB Quantico
CO MCLB Barstow
CO BIC Jacksonville
CO MCAS Beaufort
CO MCAF Quantico
CO MCAS Yuma
CO MCAS Iwakuni
CO MCSA Kansas City
CO MCMWTC Bridgeport

Copy to:

CMC (CL,LF,LK,LP,LR,LS)
COMMARFORRES (RCO)
COMMARFORPAC (SUP)
COMMARFORLANT (CONT)
COMMARFOREUR (G-4)
COMMARFORSOUTH (CONT)

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix P—Management and Oversight Process for the Acquisition of Services

Subj: MANAGEMENT AND OVERSIGHT PROCESS FOR THE ACQUISITION OF SERVICES
(MOPAS)

CG II MEF (G-4)
CG MCLC Albany (89)
CG MCB Camp Pendleton (RCO)
CG MCAS Cherry Point (SUL)
CG MCAS Miramar (5KB)
COMMARCORSYSCOM (CT)
CG MCB Camp Lejeune (RCO)
CG 1st FSSG (CCO)
CG MCB Hawaii (LSCP)
CG MAGTFTC Twentynine Palms (CCO)
CG MCRD ERR Parris Island (RCO)
CG MCRD WRR San Diego (C&P)
CG MCB Camp Butler (RCO)
CG 2d FSSG (CCO)
CG 3d FSSG (CCO)
CO MCB Quantico (RCO)
CO MCLB Barstow (B340)
CO BIC Jacksonville (910)
CO MCAS Beaufort (SUPO)
CO MCAF Quantico (SUPO)
CO MCAS Yuma (CCO)
CO MCAS Iwakuni (4CTL)
CO MCSA Kansas City (MFCO)
CO MCMWTC Bridgeport (SUP)
DIR MCCS (MRB-4)

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix P—Management and Oversight Process for the Acquisition of Services

Source Selection Plan (SSP) / Acquisition Plan (AP) Strategy Content

The acquisition strategy shall address the following:

1. **Requirement.** The outcomes to be satisfied and if such outcomes are performance based (see FAR Subpart 37.6). The measures of success for the service acquisition. How the requirement was previously satisfied (if it is not new).
2. **Risks.** The acquisition strategy shall identify current and potential cost, schedule, and performance risks, the level of stated risks, and a risk mitigation plan.
3. **Competition.** Explain how full and open competition will be provided. If other than full and open competition applies to the acquisition, provide an explanation of why and a citation of the statutory authority that allows less than full and open competition. Plans for competition for any foreseeable follow-on acquisitions should also be addressed.
4. **Implications.** How the new acquisition will support the achievement of small business goals/targets. How the new acquisition will support any other applicable directed programs.
5. **Business Arrangements.** How the acquisition will be funded, the type of business arrangements anticipated (e.g., single contract, multiple award task order contract), the duration of each business arrangement (base period and all option periods), cost estimate for the total planned acquisition, and pricing arrangements (e.g., fixed price, cost reimbursement, time and materials, labor hour, or variations, based on guidance in FAR Part 16 and, for commercial services, in FAR Part 12). Task orders executed within a service acquisition reviewed under this policy do not require a separate review by the CAE or HCA (for those components without a CAE) (unless delegated), provided the task order is issued under the approved conditions.
6. **Multi-year Contracts.** If the acquisition strategy calls for a multi-year service contract to be entered into under the authority of 10 U.S.C. 2306c, the acquisition strategy must address the DoD Component's plans for budgeting for termination liability for multi-year. Also, OMB Circular A-11 requires that multi-year service contracts be scored as operating leases. Therefore, the acquisition strategy must address the budget scorekeeping that will result from use of the proposed contracting strategy.
7. **Leases.** The acquisition strategy will include a lease-purchase analysis if required by OMB Circular A-94, Section 13.

NOTE: All items must be included. If not applicable, so indicate.

Enclosure (1)

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix P—Management and Oversight Process for the Acquisition of Services

Format for Approval of Services Acquisitions At or Below \$50M That Are NOT Performance Based

What is Performance Based? Performance-Based Services Acquisition (PBSA) emphasizes that all aspects of an acquisition be structured around the purpose or results of the work to be performed as opposed to the methods or manner in which the work is to be performed. Clear, concise, and specific language is to be used versus broad, imprecise statements of work (SOW), which preclude an objective assessment of contractor performance. PBSA requires that SOWs and contract terms be designed to ensure that contractors are given freedom to determine how to meet the Government's performance objectives and, further, that measurable standards (i.e., terms of quality, timeliness, quantity, etc.) and quality assurance surveillance plans are established, including procedures for reductions of fee or price when services do not meet contract requirements. (See FAR Subpart 37.6.)

Who Implements PBSA? PBSA is a collaborative, team effort between requirements and contracting personnel.

Memo to the File

Contract No: _____ Task Order No: _____

The purpose of this Memo to the File is to request approval to award a (contract/task order) for services, in which the (SOW/contract/task order) does not meet the basic requirements for performance-based contracting (as described in the introductory paragraph) for the following reason: (CHOOSE ONE AND PROVIDE RATIONALE)

- The services to be acquired are incidental to the supplies;
- The existing contract is not performance based, and a review has determined that it is not practicable to restructure the follow-on contract to make it performance based because of the following: (requirements and contracting personnel to provide rationale); or
- This is a new acquisition that is not performance based, and a review has determined that it is not practicable to structure the contract to make it performance based because of the following: (requirements and contracting personnel to provide rationale).

Review and Approval Signatures

(Per the enclosure (3) matrix to include grade/rank and date signed)

Requiring Activity Reviewer
(Required in all cases)

CCO (or PCO if authorized)
(Required in all cases)

Requiring Activity Flag/GO/SES/CO
(Required endorsement or approval)
(>\$5M to \$30M)

ADC, I&L (Contracts)
(CG at MCLC)
(>\$5M to \$50M)

Enclosure (2)

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix P—Management and Oversight Process for the Acquisition of Services

Marine Corps MOPAS Review/Approval Thresholds

Approval of Services Acquisitions That Are Performance Based

| Total Planned Dollar Value, Including Options, Etc. | Requirements Review (Level To Be Determined by Requiring Activity) | SSP/AP Strategy Review (Small Business Specialist Review Required at All Levels Shown) | Approval Authority |
|---|--|--|----------------------------------|
| >\$100K to \$5M | Requiring Activity | Contract Specialist and PCO | CCO. May redelegate NLT PCO |
| >\$5M to \$30M | Requiring Activity | PCO | CCO (Non-delegable) |
| >\$30M to \$100M | Requiring Activity | HQMC(LB) GS-15 (CCO at MCLC) | ADC, I&L(Contracts) (CG at MCLC) |
| >\$100M to <\$500M | Requiring Activity | ADC, I&L(Contracts) (CCO at MCLC) | ADC, I&L (CG at MCLC) |

Approval of Services Acquisitions That Are NOT Performance Based OR Any Contract or Task Order Awarded by an Agency Other Than DOD

| Total Planned Dollar Value, Including Options, Etc. | Requirements Review (Suggested Level at Requiring Activity) | SSP/AP Strategy Review (Small Business Specialist Review Required at All Levels Shown) | Approval Authority |
|---|---|--|---|
| >\$100K to \$5M | Level above Requirements Originator | Contract Specialist and PCO | CCO. May redelegate NLT PCO |
| >\$5M to \$30M | O-6/GS-15 | CCO | Requiring Activity Flag/GO/SES/CO.* (Non-delegable) |
| >\$30M to \$50M | O-6/GS-15 | HQMC(LB) GS-15 (CCO at MCLC) | ADC, I&L(Contracts) (CG at MCLC) |
| >\$50M to <\$500M | Flag/GO/SES/CO | ADC, I&L(Contracts) | DASN(ACQ) |

*If not a member of the Acquisition Professional Community (APC), then approval authority is ADC, I&L (Contracts) (or CG at MCLC) with endorsement from Requiring Activity Flag/GO/SES/CO.

Acronyms Used

ADC, I&L - Assistant Deputy Commandant, Installations and Logistics
 AP - Acquisition Plan
 CCO - Chief of the Contracting Office
 DASN(ACQ) - Deputy Assistant Secretary of the Navy for Acquisition Management
 HQMC(LB) - HQMC Contracts Division
 MCLC - Marine Corps Logistics Command
 MOPAS - Management and Oversight Process for the Acquisition of Services
 NLT - No Lower Than
 PCO - Procuring Contracting Officer
 SSP - Source Selection Plan

Enclosure (3)

MARINE CORPS ACQUISITION PROCEDURES SUPPLEMENT

Appendix Q—Termination Report

Furnish the following information regarding terminated contracts:

SAMPLE

(RCO) REPORT OF CONTRACT TERMINATIONS (1 October – 30 September 200__)

| Contract # and Date of Award | Company Name | Name of Contracting Officer | Nature of Contract or End Items | Type of Contract (e.g., firm-fixed price, cost-reimbursement) | Contract Price | Type of Termination (convenience or default) and Reason for Termination | Check this Block if No Contracts Were Terminated this Fiscal Year |
|------------------------------|--------------|-----------------------------|---------------------------------|---|----------------|---|---|
| | | | | | | | |